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LEGISLATIVE HISTORY

Public Law 450--82nd Congress

Chapter 570--2nd Session

H. J. Res. 477

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DIGEST OF PUBLIC LAW 450

EMERGENCY POWERS CONTINUATION ACT. Continues through March 1953 the effectiveness of various statutory wartime provisions, including the following: Authority for the armed forces to operate farms and plantations outside the U. S. for the provisioning of troops, pay and allowances for certain missing Government personnel, duty-free importation of personal and household effects brought into the U. S. on Government orders, veterans' preference under the homestead and other land laws, priorities in transportation, compensation to civil employees of the U. S. or its contractors outside the U. S. for injuries or death resulting from "war-risk hazards," provision that disability of a Government employee after capture or detention by the enemy shall be deemed to have resulted from the performance of duty, preference of veterans and families of deceased servicemen for loans in connection with improvement of farm houses and buildings, and preference of veterans for farm loans and mortgage insurance under the Bankhead-Jones Farm Tenant Act.

THE HISTORY OF THE

The history of the world is a story of the human race, of its struggles, its triumphs, its failures, and its progress. It is a story of the human mind, of its discoveries, its inventions, its art, and its science. It is a story of the human heart, of its loves, its hates, its hopes, and its dreams. It is a story of the human spirit, of its courage, its faith, its charity, and its love. It is a story of the human race, of its struggles, its triumphs, its failures, and its progress. It is a story of the human mind, of its discoveries, its inventions, its art, and its science. It is a story of the human heart, of its loves, its hates, its hopes, and its dreams. It is a story of the human spirit, of its courage, its faith, its charity, and its love.

INDEX AND SUMMARY OF H.J. Res. 477

June 5, 1952 Mr. Celler introduced H. J. Res. 477 which was referred to the Committee on the Judiciary. Print of bill as introduced.

June 9, 1952 House Committee reported H. J. Res. 477 without amendment, House Report 2041. Print of bill as reported.

June 10, 1952 Rules Committee reported H. Res. 677, House Report 2138, for consideration of H. J. Res. 477. Print of resolution as reported.

June 11, 1952 House passed H. J. Res. 477. Print of bill as it passed the House.

June 12, 1952 Senate passed H. J. Res. 477. Senate conferees appointed.

June 17, 1952 House conferees appointed.

June 18, 1952 Additional House conferees appointed.

June 30, 1952 Conferees agreed to file report.

July 2, 1952 House agreed to conference report.

July 3, 1952 Senate agreed to conference report.

July 5, 1952 Approved: Public Law 450.

82^D CONGRESS
2^D SESSION

H. J. RES. 477

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 1952

Mr. CELLER introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

Whereas certain statutory provisions dependent upon the existence of a state of war and upon the national emergencies proclaimed in 1939 and 1941 were continued in effect until June 1, 1952, by Public Law 313, approved April 14, 1952, and were subsequently further continued in effect until June 15, 1952, by Public Law 368, approved May 28, 1952, in order to permit further consideration of a more extended continuation; and

Whereas the last of the states of war of World War II and the national emergencies proclaimed by the President in 1939 and 1941 were terminated on April 28, 1952; and

Whereas a more extended continuation of the statutory provisions herein dealt with is needed to insure the national

security and the capacity of the United States to support the efforts to establish and maintain world peace: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 That notwithstanding the termination on April 28, 1952, of
 4 the existence of a state of war with Japan declared December
 5 8, 1941 (55 Stat. 795), and of the national emergencies
 6 proclaimed by the President on September 8, 1939 (Proc.
 7 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487,
 8 55 Stat. 1647), and notwithstanding any proclamation of
 9 peace with respect to such war—

10 (a) The following statutory provisions, and the authori-
 11 zations conferred and liabilities imposed thereby, in addition
 12 to coming into full force and effect in time of war or other-
 13 wise where their terms so provide, shall remain in full force
 14 and effect until six months after the termination of the national
 15 emergency proclaimed by the President on December 16,
 16 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or
 17 until such earlier date or dates as may be provided by the
 18 Congress by concurrent resolution either generally or for
 19 a particular statutory provision or by the President either
 20 generally by proclamation or for a particular statutory pro-
 21 vision, but in no event beyond June 30, 1953, notwithstand-
 22 ing any other terminal date or provision of law with respect

1 to such statutory provisions and notwithstanding any limita-
2 tion, by reference to war or national emergency, of the time
3 during or for which authorizations or liabilities thereunder
4 may be exercised or imposed; and acts or events of the kind
5 giving rise to legal consequences under any of those provi-
6 sions when performed or occurring during the state of war
7 which terminated on April 28, 1952, shall give rise to the
8 same legal consequences when they are performed or occur
9 during the period above provided for:

10 (1) Act of December 17, 1942 (ch. 739, sec. 1, 56
11 Stat. 1053), as amended (50 U. S. C. App. 1201); and,
12 effective for the period of time provided for in the opening
13 paragraph of this subsection, section 1 of said Act of Decem-
14 ber 17, 1942, is amended by inserting "or the maintenance
15 of the national defense" after "the prosecution of war".

16 (2) Act of March 27, 1942 (ch. 199, secs. 1301-1304,
17 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

18 (3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat.
19 382; 44 U. S. C. 376).

20 (4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and
21 (b), 54 Stat. 712, 713), as extended by sections 13 and
22 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50
23 U. S. C. App. 773, 1171, (a), 1171 (b)); and the authority
24 thereby granted to the Secretary of the Army is hereby con-
25 ferred on the Secretary of the Navy, to be exercised by him

1 on behalf of the Department of the Navy, using naval appro-
2 priations for the purpose.

3 (5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11,
4 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

5 (6) Act of January 2, 1942 (ch. 645, sec. 7), as
6 added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat.
7 67; 31 U. S. C. 224i).

8 (7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14,
9 and 15, 56 Stat. 143-147), as amended (50 U. S. C.
10 App. 1001-1012, 1014, and 1015), and as extended by
11 section 4 (e) of the Act of June 24, 1948 (ch. 625, 62
12 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the
13 period of time provided for in the opening paragraph of
14 this subsection, sections 2, 6, 9, 12, and 14 of said Act
15 of March 7, 1942, as they read immediately before the
16 enactment of Public Law 313, Eighty-second Congress,
17 are amended as follows, and, as so amended, are further
18 extended in accordance with section 4 (e) of said Act of
19 June 24, 1948:

20 (A) Section 2 (50 U. S. C. App. 1002) is amended
21 by deleting "interned in a neutral country, captured by an
22 enemy" and inserting in lieu thereof "interned in a foreign
23 country, captured by a hostile force".

24 (B) Section 6 (50 U. S. C. App. 1006) is amended
25 by deleting "in the hands of an enemy or is interned in a

1 neutral country” and inserting in lieu thereof “in the hands
2 of a hostile force or is interned in a foreign country”.

3 (C) Section 9 (50 U. S. C. App. 1009) is amended
4 by deleting “in the lands of an enemy” and inserting in
5 lieu thereof “in the hands of a hostile force” and by deleting
6 “such enemy” and inserting in lieu thereof “such hostile
7 force”.

8 (D) Section 12 (50 U. S. C. App. 1012) is amended
9 by deleting “interned in a neutral country, or captured by
10 the enemy” and inserting in lieu thereof “interned in a
11 foreign country, or captured by a hostile force”.

12 (E) Section 14 (50 U. S. C. App. 1014) is amended
13 to read as follows:

14 “SEC. 14. The provisions of this Act applicable to per-
15 sons captured by a hostile force shall also apply to any person
16 beleaguered or besieged by a hostile force.”

17 (8) Act of December 4, 1942 (ch. 674, secs. 2, 3,
18 and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

19 (9) Act of October 26, 1942 (ch. 624, 56 Stat 987;
20 50 U. S. C. App. 836).

21 (10) Act of December 18, 1942 (ch. 765, 56 Stat.
22 1057; 10 U. S. C. 906 and note, 907 and note).

23 (11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-
24 391; 50 U. S. C. App. 781-785).

25 (12) Act of October 14, 1940 (ch. 862, 54 Stat.

1 1125), as amended, secs. 1, 202, 301, 401, 402, and
2 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571).
3 In view of the continuing existence of acute housing needs
4 occasioned by World War II, the emergency declared by
5 the President on September 8, 1939, shall, for the purpose
6 of continuing the use of property held under said Act of
7 October 14, 1940, continue to exist during the period of
8 time provided for in the opening paragraph of this sub-
9 section.

10 (13) Act of December 2, 1942 (ch. 668, titles I and
11 II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706,
12 1711-1717). Effective for the period of time provided for
13 in the opening paragraph of this subsection, the following
14 terms, as used in titles I and II of said Act of December 2,
15 1942, and the terms "allies" and "war effort", as used in
16 the statutory provisions referred to in section 101 (a) (1)
17 of said Act (42 U. S. C. 1701 (a) (1)), have the following
18 meanings: The term "enemy" means any nation, govern-
19 ment, or force engaged in armed conflict with the Armed
20 Forces of the United States or of any of its allies. The term
21 "allies" means any nation, government, or force partici-
22 pating with the United States in any armed conflict. The
23 terms "national war effort" and "war effort" include na-
24 tional defense. The term "war activities" includes activities
25 directly related to military operations.

1 (14) The paragraph designated “(2)” which was in-
2 serted into the Act of March 3, 1909 (ch. 255, 35 Stat.
3 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60;
4 34 U. S. C. 533).

5 (15) Act of October 25, 1943 (ch. 276, 57 Stat. 575),
6 as amended by section 2 of the Act of April 9, 1946 (ch.
7 121, 60 Stat. 87; 38 U. S. C. 11a note).

8 (16) Act of December 23, 1944 (ch. 716, 58 Stat.
9 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

10 (17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59
11 Stat. 505; 5 U. S. C. 801); and, effective for the period of
12 time provided for in the opening paragraph of this sub-
13 section, the term “enemy” as used in section 5 (b) of said
14 Act of July 28, 1945, means any nation, government, or
15 force engaged in armed conflict with the Armed Forces
16 of the United States or of any nation, government, or force
17 participating with the United States in any armed conflict.

18 (18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50
19 U. S. C. App. 801, 802).

20 (19) Act of October 17, 1942 (ch. 615, secs. 1-4,
21 56 Stat. 796; 36 U. S. C. 179-182).

22 (20) Act of July 15, 1949 (ch. 338, title V, sec.
23 507, 63 Stat. 436; 42 U. S. C. 1477).

24 (21) Act of October 14, 1940 (ch. 862, title V, sec.

1 503), as added by the Act of June 23, 1945 (ch. 192,
2 59 Stat. 260; 42 U. S. C. 1573).

3 (22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat.
4 522), as amended (7 U. S. C. 1001).

5 (23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37
6 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

7 (24) The eighth paragraph (designated "Military
8 traffic in time of war") of section 6 of the Act of February
9 4, 1887, chapter 104, as that section was amended by section
10 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586;
11 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

12 (25) Act of February 4, 1887 (ch. 104, sec. 1 (15)),
13 as enacted by Act of February 28, 1920 (ch. 91, sec. 402,
14 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

15 (26) Act of February 4, 1887 (ch. 104, sec. 420), as
16 added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284,
17 298; 49 U. S. C. 1020).

18 (27) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245),
19 as amended (50 U. S. C. App. 1271-1275).

20 (28) Act of December 3, 1942 (ch. 670, sec. 2, 56
21 Stat. 1038; 33 U. S. C. 855a).

22 (29) Title 18, United States Code, sections 794, 2153,
23 2154, and 2388. Effective in each case for the period of time
24 provided for in the opening paragraph of this subsection, title
25 18, United States Code, section 2151, is amended by insert-

1 ing “or defense activities” immediately before the period at
 2 the end of the definition of “war material” and said sections
 3 2153 and 2154 are amended by inserting the words “or
 4 defense activities” immediately after the words “carrying on
 5 the war” wherever they appear therein.

6 (30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as
 7 amended by the Act of June 21, 1941 (ch. 210, 55 Stat.
 8 252, 253; 22 U. S. C. 223–226b).

9 (31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013;
 10 35 U. S. C. 89 and note and 90–96) ; and, effective for the
 11 period of time provided for in the opening paragraph of this
 12 subsection, the terms “prosecution of the war” and “condi-
 13 tions of wartime production”, as used in said Act of October
 14 31, 1942, include, respectively, prosecution of defense ac-
 15 tivities and conditions of production during the national
 16 emergency proclaimed by the President on December 16,
 17 1950.

18 (32) Title 28, United States Code, section 2680 (j).

19 (b) The following statutory provisions which are nor-
 20 mally operative in time of peace shall not be operative by
 21 reason of the termination of a state of war on April 28, 1952,
 22 but rather (in addition to being inoperative, in accordance
 23 with their terms, in time of war) shall continue to be inopera-
 24 tive until six months after the termination of the national
 25 emergency proclaimed by the President on December 16,

1 1950, or until such earlier date or dates as the Congress by
2 concurrent resolution or the President may provide either
3 generally or for a particular statutory provision, but in no
4 event beyond June 30, 1953, any other provision of law with
5 respect thereto to the contrary notwithstanding:

6 (1) Those portions of section 37 of the Act of June
7 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C.
8 353), which restrict the appointment of Reserve officers
9 in time of peace.

10 (2) The second sentence of section 40b of the Act
11 of June 3, 1916, as added by section 33 of the Act of
12 June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10
13 U. S. C. 386).

14 (3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat.
15 738; 34 U. S. C. 850i).

16 (4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat.
17 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

18 (5) Act of March 3, 1893 (ch. 212, 27 Stat. 717;
19 34 U. S. C. 196).

20 (6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat.
21 158; 10 U. S. C. 651).

22 (7) Joint resolution of November 4, 1939 (ch. 2,
23 sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

24 (c) The President is authorized to continue in effect
25 until and including June 30, 1953, all appointments as

1 officers and as warrant officers of the Army and of the Air
2 Force which under the following provisions of law would
3 terminate after April 27, 1952, and before June 30, 1953:

4 (1) Sections 37 and 38 of the Act of June 3, 1916
5 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C.
6 358, 32 U. S. C. 19), and section 127a of that Act as
7 added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785),
8 as amended (10 U. S. C. 513).

9 (2) Section 515 (e) of the Act of August 7, 1947
10 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

11 (3) Section 3 of the Act of August 21, 1941 (ch. 384,
12 55 Stat. 652), as amended (10 U. S. C. 591a).

13 SEC. 2. (a) Section 5 (m) of the Act of May 18,
14 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is
15 amended by inserting before the period at the end thereof
16 "or, until six months after the termination of the national
17 emergency proclaimed by the President on December 16,
18 1950, or until such earlier date or dates as the Congress
19 by concurrent resolution or the President may provide but
20 in no event after June 30, 1953, to nations associated with
21 the United States in defense activities".

22 (b) The second proviso of section 1 of the Act of May
23 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C.
24 222c), is amended to read: "*Provided*, That if such acci-
25 dent or incident occurs in time of war, or if war intervenes

1 within two years after its occurrence, any claim may, on
2 good cause shown, be presented within one year after peace
3 is established, but if such accident or incident occurs after
4 December 6, 1939, and before the termination of the na-
5 tional emergency proclaimed December 16, 1950, any claim
6 may, on good cause shown, be presented within one year
7 after the termination of that national emergency or June 30,
8 1953, whichever is earlier.”; and such section as so amended
9 shall apply to the Navy in accordance with section 2 of the
10 Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31
11 U. S. C. 222e).

12 (c) The second proviso of section 1 of the Act of
13 July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31
14 U. S. C. 223b), is amended to read: “*Provided*, That if
15 such accident or incident occurs in time of war, or if war
16 intervenes within one year after its occurrence, any claim
17 may, on good cause shown, be presented within one year
18 after peace is established, but if such accident or incident
19 occurs after June 23, 1950, and before the termination of
20 the national emergency proclaimed December 16, 1950, any
21 claim may, on good cause shown, be presented within one
22 year after the termination of that national emergency or

1 June 30, 1953, whichever is earlier.”; and such section as
2 so amended shall apply to the Navy in accordance with
3 section 1 of the Act of December 28, 1945 (ch. 597, 59
4 Stat. 662; 31 U. S. C. 223d).

5 SEC. 3. Authority now conferred upon the Secretary of
6 the Air Force under the statutory provisions cited in this
7 joint resolution is hereby extended to the same extent as
8 the authority of the Secretary of the Army thereunder.

9 SEC. 4. Nothing in this joint resolution shall be con-
10 strued to repeal or modify section 601 of Public Law 155,
11 Eighty-second Congress, first session, relative to coming into
12 agreement with the Committee on Armed Services of the
13 Senate and of the House of Representatives with respect to
14 real-estate actions by or for the use of the military depart-
15 ments or the Federal Civil Defense Administration.

16 SEC. 5. If any provision of this joint resolution, or the
17 application thereof to any person or circumstances, is held
18 invalid, the remaining provisions of this joint resolution,
19 or the application of such provision to other persons or
20 circumstances, shall not be affected thereby.

21 SEC. 6. Public Laws 313 and 368, Eighty-second Con-
22 gress, are repealed without effect upon rights accrued, lia-
23 bilities incurred, or actions taken thereunder.

1 SEC. 7. Sections 1 through 6 of this joint resolution
2 shall take effect June 16, 1952.

3 SEC. 8. This joint resolution may be cited as the "Emer-
4 gency Powers Continuation Act".

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

By Mr. Celler

JUNE 5, 1952

Referred to the Committee on the Judiciary

Union Calendar No. 646

82D CONGRESS	}	HOUSE OF REPRESENTATIVES	}	REPORT
2d Session				No. 2041

EMERGENCY POWERS CONTINUATION ACT

JUNE 6, 1952.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. J. Res. 477]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 477), to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

STATEMENT

House Joint Resolution 477, which this report accompanies, is based upon House Document No. 368 (82d Cong., 2d sess.) which contains a message from the President transmitting and endorsing a draft Emergency Powers Continuation Act. The purpose of that measure was to continue in effect some 60 statutory authorizations which, in the absence of action by Congress, would have terminated by their own terms upon the termination of the existence of a state of war with Japan or the national emergencies proclaimed by the President in 1939 and 1941, or, in some cases, within a fixed time thereafter. The state of war with Japan was terminated on April 28, 1952, by the coming into force on that day of the Treaty of Peace with Japan. Simultaneously, the 1939 and 1941 emergencies were terminated by a separate Presidential proclamation (No. 2974, 17 F. R. 3813). In the meantime, however, so that consideration could be given to an extended continuation, House Joint Resolution 423 (Public Law 313, 82d Cong.) continued all these statutory authorizations without break until June 1, 1952, and they were further continued without break by Senate Joint Resolution 156 (Public Law 368, 82d Cong.) until June 15, 1952.

The present bill continues them without break from June 15 for a further limited period except for certain items which the committee believes should not be further extended. These latter items are omitted from the present bill, with the result that they will have no effectiveness beyond June 15, 1952, except, as by their own terms, they may have further effectiveness in time of war or otherwise.

The instant bill has a limited purpose. It does not deal with war powers which have already ceased to exist, lapsed, or been repealed. It continues only those authorizations in effect which the committee thinks important to retain at this time in the interest of national security. In doing so, however, the committee in no event recommends the continuance of the present effectiveness of any of these provisions, even on a temporary status, beyond June 30, 1953.

House Document No. 368 which is the basis for this report and for the instant bill, House Joint Resolution 477, has been reprinted as part of the appendix in the record of the hearings on this legislation (hearings, serial No. 15, 82d Cong., 2d sess.). This document consists of the President's letter of transmittal to the House, a supporting recommendation by the Secretary of Defense, the Attorney General, the Chairman of the National Security Resources Board, and the Director of the Bureau of the Budget, together with a draft of the proposed Emergency Powers Continuation Act and an explanatory memorandum dealing with each of the provisions of law set out therein. The memorandum portion discusses each of the different provisions together with the reasons for extending them. The document reflects the careful screening process which went into its preparation. It had as a basis for its preparation two Senate documents dealing with war and emergency legislation (pt. 2 of S. Rept. 339 and S. Doc. 42, both of the 80th Cong., 1st sess.) and the Department of the Army Digest of Emergency Legislation. A list of statutes containing some 130 items from those and other sources was circulated to the individual executive agencies asking for their recommendations and reasoned views as to which statutory authorizations set forth in the list should be continued after the termination of war with Japan. The agencies themselves, in addition to reviewing the 130 items submitted to them, recommended 25 more statutes, making a total of approximately 155. Of this number only 60 items were finally submitted to this committee by the President. Some of the other 95 items were omitted from the President's recommendation because they had already been terminated in one way or another, or because they had been superseded. Most, however, were omitted because their continuation was not considered necessary by the agencies concerned.

Since the time of the submission of the 60 items to the committee, one item (2 (b) (4) in House Document No. 368), relating to the manufacture and disposition of Gold Star lapel buttons, has been enacted into permanent legislation and it was, therefore, omitted from further consideration by the committee. Of the 59 remaining items, the committee has recommended the extension of 48. The committee's reasons for extending those 48 items, together with its reasons for not continuing the 11 items which it has omitted from the present bill, are set out in detail later in this report.

For the most part the bill continues the statutory authorizations that are to be extended in the form in which they now exist. Certain of those items deal with provisions conferring authority in time of war

generally. They are continued in effect. Others deal with provisions imposing limitations in time of peace. The operation of those provisions is deferred. Still others have been dependent for their validity, upon the existence of World War II or the 1939 or 1941 national emergencies. Those provisions are continued in effect. In some instances qualifying amendments have been made in order to make the language of the statutes appropriate to a period when there is no declared state of war. For example, in certain places where the word "enemy" appears in several of the statutes, the committee has, at the suggestion of the interested agencies, substituted the words "a hostile force." While new language of this kind is thus to be inserted in various statutes, the amendments are to be effective only for the duration of this temporary legislation.

The proposed legislation as submitted by the President was predicated on two legal assumptions: (1) That the military action in Korea does not constitute a state of war within the meaning of the statutes conferring agency in time of war and (2) that when the state of war with Japan was terminated the emergencies proclaimed by the President in 1939 and 1941 would also be terminated by reason of the terms in which those emergencies were originally proclaimed. The first assumption was made without attempt to determine its validity as to any statute. The enactment of the present bill will, of course, eliminate any legal uncertainty in that respect. The validity of the second assumption is already resolved by the proclamation of the Japanese Peace Treaty and the simultaneous terminations of the 1939 and 1941 emergencies.

Since most of the provisions that are to be extended in this bill concern legislative matters outside the scope or jurisdiction of the Judiciary Committee, it is recommending their continuation only on a temporary or nonpermanent basis. Nothing contained in this report is to be construed or interpreted as definitely and finally deciding the continuation of any of the authorizations on a permanent basis. The committee has in certain instances, on the basis of the evidence adduced at the hearings, recommended to the agencies concerned that they propose permanent legislation. However, because of the urgency, caused by world conditions, for the present continuation of many of these wartime provisions, the committee was chiefly interested in satisfying itself that there was justification for continuing the provisions until such time as the Government agencies concerned could seek, before the proper congressional committees, legislation either on a permanent basis or for a further extension on a temporary basis.

Because of the number of items involved and the multiple statutes affected by the particular items, and for reasons of clarity and simplification, the committee has set out, later in this report, each item as it appears in House Document 368, together with an analysis of the particular statutes involved, the committee's recommendations, and the reasons therefor. There were certain issues, however, together with certain sections of the proposed legislation, which, because of the contentious nature of their subject matter, were not readily decided or agreed upon. The next few paragraphs concern those difficulties and contain a fuller discussion of the reasons for the committee's decision.

The first of the difficulties was in deciding or fixing a time limitation in extending the various provisions of the bill. The proposed

legislation, as submitted by the President, suggested that the provisions be continued until 6 months after the termination of the national emergency proclaimed by the President in 1950 or until earlier dates fixed either by concurrent resolution of the Congress or by the President, either generally or for specific provisions. The committee was agreed that none of the provisions of the instant bill should be continued on a temporary basis for such an indefinite period of time as the 1950 national emergency might provide. The thought was expressed at the hearings that the present national emergency could continue for quite an extended period, possibly 10 years or more. In addition, since the Congress, in enacting these provisions, used definite language limiting the effectiveness of many of them to a time of declared war, the committee was of the opinion that the provisions should be continued, if at all, only until such time as the proper committees of Congress were able to consider their further disposition. It was concluded therefore that the committee should specify a termination date which would permit the various Government departments, working with practical expedition, sufficient time to seek further legislation before the proper committees of Congress. It was finally decided that the agencies concerned should take action within approximately 1 year. The committee therefore adopted the view that in no event should the present bill extend the effectiveness of the authorizations dealt with therein beyond June 30, 1953, which date is also the end of the Government's fiscal year. In doing so it was mindful that such termination date will point up the necessity for continuance or termination of many provisions which either need appropriations for their continuance or which authorize appropriations in their provisions.

Another problem which was of considerable concern is item 1 (a) (27) which empowers the President in time of war to seize the transportation systems of the country. It was under this authority that the President took possession of certain railroad lines in 1950, control of which he released only a few days ago. When Congress enacted the basic law back in 1916, empowering the President to seize the transportation industry, it intended that he should exercise this tremendous grant of power in time of war only. It is the considered opinion of the committee that Congress should be cautious and slow in extending this tremendous grant of power in the Executive to a period where there is no state of actual declared war. Therefore it has omitted this item, 1 (a) (27), from the bill.

It might be well to point out that in the proposed legislation, as submitted by the President, there are approximately 11 items which permit the President, in his discretion, to make certain recommendations which would impose certain duties upon the various departments of Government and on private facilities. These items concern, specifically, the inspection and auditing of records of contractors and sub-contractors with the Government (1 (a) (3)); the liability of inductees on Reserve status for recall to active duty (1 (a) (6)); the declaring of the Public Health Service a part or branch of the military service (1 (a) (9)); the acceptance of the services of the American Red Cross (1 (a) (25)); the authorization to the President, in varying degrees, to issue orders of priority and preference in connection with transportation in times of emergency (1 (a) (26), 1 (a) (28), 1 (a) (29)), power to take over, charter, or purchase both domestic and foreign merchant

ships in our waters (1 (a) (30)); the regulation of departure and entry of citizens and aliens from and into the United States (1 (a) (32)); the power to continue certain military commissions (1 (c)); and the power to take possession and control of the transportation systems (1 (a) (27)). Of these, the committee has omitted items 1 (a) (6), 1 (a) (9), and, as noted earlier, 1 (a) (27) from the bill. As to the rest of these 11 items, it believes, for reasons later set forth, that there is a present need for all of them and all should, therefore, be continued.

Another provision which was of grave concern to the committee is the extension of the authority to continue the appointments of officers and warrant officers in the Reserve Corps of the Army and Air Force. The normal term of these appointments is a period of 5 years, but an appointment in force in time of war continues in force until 6 months after the termination of war. The effect of the present proposal, now that a state of war within the meaning of this proposed legislation is assumed no longer to exist, is to continue officers in the Reserve and, if needed, on active duty (1) longer than the 5-year term of their appointments and (2) beyond the 6 months following the treaty of peace with Japan which was proclaimed on April 28, 1952. According to the evidence adduced at the hearings, between 80 and 90 percent of the reservists now on active duty and in the Active and Inactive Reserves have held their Reserve commissions at least 5 years. The committee recognizes the undesirability of the proposed legislation from the standpoint of the personnel involved. Since the end of hostilities of World War II many of these persons have married and have children. In some instances they have established businesses or have risen to responsible and well-paying positions which could be jeopardized by recall to active duty. In addition, eligibility for recall to active duty has, among other things, the disadvantage of preventing loans by banking institutions and making the securing of employment more difficult. No doubt many of the reservists, in accepting their appointments, did not contemplate such prolonged active duty as has been required of them.

Nevertheless, the committee is confronted with the undeniable fact that its noncontinuance of this authority would have a very serious detrimental impact on the Army and the Air Force; 80 percent of all the officers now on active duty are reservists and 80 percent of those reservists will be affected by this legislation. It is believed that too many of these officers, especially those in so-called undesirable areas, would seek the immediate termination of their appointments. The Department of Defense has not been lax in seeking legislation to remedy this situation. Under the proposed Armed Services Reserve Act of 1951, no officer will be retained in the Reserve without his consent. That legislation, however, has not been enacted into public law and even if enacted immediately, it could not effectively handle the situation for a period of 18 months. One of the factors which was of great weight in the committee's decision to recommend the continuation of this authority is the fact that reservists, who have been recalled, are not to be retained on active duty for the entire period of the emergency, but only 24 months, and if they were in service during World War II, then only 17 months. In no event will Reserve personnel who have held their commissions the required 5 years be compelled to serve, under this legislation, beyond June 30, 1953.

Another item (1 (a) (16)) over which there was a conflict of views is the existing statutory declarations of the right of persons in the Armed Forces to vote in national elections in time of war. The purpose of these statutory provisions is to enable otherwise qualified members of the Armed Forces, while absent from their State of residence, to cast votes in national elections notwithstanding any provision of State law relating to the registration of qualified voters or the payment of poll taxes. Whether the Federal Government has the power to suspend the State right to impose a poll tax or to require actual presence in registering, presents a substantial constitutional question. The qualifications of voters in presidential elections is, in general, subject to State regulation only. While no one contends that the serviceman should be denied the right to vote because of his absence in military service, the thought was nevertheless expressed that there has been a tendency to be impatient with constitutional restrictions whenever they stand in the way of legislation that is desirable. The committee, while it is not recommending the continuance of this legislation, wishes to point out, however, (1) that most States, through State legislation, have provided opportunity (although in some instances not entirely adequate opportunity) for voting by servicemen and (2) that no State today requires a poll tax of any military personnel who are otherwise eligible to vote.

As already mentioned, the present bill amends or construes certain of the authorizations which it extends, that is, those using words such as "enemy", which presuppose the existence of a declared state of war and require clarification when applied to a time in which there is not a declared state of war. This was done also by Public Laws 313 and 368—the interim extensions. But Public Laws 313 and 368, in doing so, used different words at some points from those of the present bill, and their operativeness in this respect was not subject to the June 1 or June 15 time limit. Consequently, the present bill expressly repeals the earlier ones.

There follow (1) the committee's item-by-item analysis of the provisions of law recommended by the President (in parallel reference with the items of House Document 368) together with the committee's recommendations and reasons therefor; (2) a memorandum classifying these items by subject matter; and (3) a compilation of the emergency statutory provisions examined by executive agencies which were omitted from the President's recommendations and not submitted for this committee's consideration because they had already been, for one reason or another, terminated or suspended, or because they were not considered necessary by the agencies concerned.

1(a) (1) (H. Doc. 368, p. 12) (hearings, p. 428) (H. J. Res. 477-1 (a) (1))

PROVIDING FOR THE ACQUISITION AND OPERATION OF BUILDINGS AND FACILITIES BY THE NAVY (50 U. S. C. appendix 1201)

This act authorizes the Secretary of the Navy to acquire and operate buildings and facilities in connection with "procurement or construction of items authorized in connection with the prosecution of war." The act is effective *until the termination of the present war or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate.*

The committee recommends that this item be extended.

This section would extend the authority of the Secretary of the Navy to acquire and operate certain buildings and facilities in connection with the procurement and construction of restricted or classified items, both in munitions and other machinery in connection with the preparedness program. The committee was advised that it is the general policy of the Navy, to the extent that existing tools, equipment, and facilities can be converted to meet the requirements of expanding production of military items, that such procedure is followed. But frequently the Navy requires the conversion of machinery to work on items that are foreign to their original design and purpose. This is particularly true in research and development of new weapons and the improvement of old ones.

This section also authorizes the acquisition of property of such a classified nature that it would be inappropriate to disclose the reasons for acquisition.

1 (a) (2) (H. Doc. 368, p. 12) (hearings, p. 31) (H. J. Res. 477, 2 (a))

PROHIBITION AGAINST SALE OF TENNESSEE VALLEY AUTHORITY
PRODUCTS FOR USE OUTSIDE THE UNITED STATES, EXCEPT TO
ITS ALLIES IN CASE OF WAR

(Tennessee Valley Authority Act, 16 U. S. C. 831d (m))

This section prohibits the sale of products of Tennessee Valley Authority for use outside the United States, except to the United States Government for the use of the Army and Navy, or *to its allies in case of war*.

The committee recommends that this provision be continued with the addition of language permitting sale to nations associated with the United States for defense activities.

Tennessee Valley Authority manufactures certain phosphorus fertilizers and in the process it produces a byproduct known as ferrophosphate. The byproduct, ferrophosphate, is used by the Armed Forces of the United States in the making of munitions. However, the low-grade ferrophosphate (23 percent grade ore or less) cannot economically be utilized in the United States steel industry, but can in western European countries. The Tennessee Valley Authority is going to continue their present operation, and it is going to continue having this byproduct which during peacetime cannot lawfully be sold for use outside the United States except to the United States Government and which is not economically usable at any time in this country. Presently this byproduct is being sold to Belgium and Luxemburg. The facts show that the gross income to Tennessee Valley Authority to date from sales of this byproduct has been \$623,000. It costs the Tennessee Valley Authority \$4 per ton, and the selling price is \$33 per ton. The difference, less transportation charges, is the profit. There is no competition on this item with any private concern.

- 1 (a) (3) (H. Doc. 368, p. 12) (hearings, p. 550)
(H. J. Res. 477, 1 (a) (2))

AUTHORITY OF GOVERNMENTAL OFFICER OR AGENCY DESIGNATED BY THE PRESIDENT TO INSPECT PLANTS AND AUDIT BOOKS OF WAR CONTRACTORS (50 U. S. C. appendix 643, 643a, 643b, 643c)

This provision applies to plants, books, and records of any contractor *with whom a defense contract has been placed at any time after the declaration of emergency on September 8, 1939, and before the termination of the present war.*

The committee recommends that this statute be extended.

This authority provides for the continuation of the Government's authority to inspect plants, books, and records of any contractor who has a defense contract. Loss of this authority would mean loss of the existing power of the Department of Defense or other agencies to audit books of subcontractors as well.

- 1 (a) (4) (H. Doc. 368, p. 12) (hearings p. 274) (H. J. Res. 477—
1 (a) (3))

AUTHORIZATION TO DESTROY RECORDS SITUATED ABROAD DURING WAR OR WHEN HOSTILE ACTION APPEARS IMMINENT (44 U. S. C. 376)

This section authorizes the head of an agency to authorize destruction of any records in his legal custody situated outside the continental United States in any military or naval establishment, ship, or other depository, *at any time during the existence of a state of war between the United States and any other nation or when hostile action by a foreign power appears imminent.*

The committee recommends that this provision be extended.

Apart from this provision, before records may be destroyed, the agency involved must report its determination to the United States Archive Office which, if it concurs in the recommendation, refers the matter to Congress, who in turn must legislate that the records be destroyed. Under the instant statute, an officer of cabinet level has the right to instruct his department representatives outside the continental United States that at appropriate times and under appropriate circumstances they may use their own discretion in the destruction of records. A person, under this statute, so destroying the records must, within 6 months, justify the imminent danger that warranted his action. This authority has been used in China and Korea 14 times since 1949. The State Department points out that it has established a record service center here in the United States and it is now in the process of returning as many records as possible to the United States or duplicating records that must be kept overseas.

1 (a) (5) (H. Doc. 368, p. 13) (hearings p. 13)

AUTHORIZATION FOR DETAILING ARMED FORCES PERSONNEL TO THE VETERANS' ADMINISTRATION (Servicemen's Readjustment Act, as amended, 38 U. S. C. 693b)

The second paragraph of this provision states that nothing in the Selective Training and Service Act of 1940, as amended, or any other act, shall be construed to prevent the transfer or detail of any commissioned, appointed or enlisted personnel from the Armed Forces to the Veterans' Administration subject to agreements between the Secretary of War or the Secretary of the Navy and the Administrator of Veterans' Affairs: *Provided, That no such detail shall be made or extended beyond 6 months after the termination of the war.*

The committee has agreed not to recommend the extension of this provision and has therefore omitted it from the bill.

This item authorizes the Veterans' Administration to make agreements with the Armed Forces for the transfer or detail to the Veterans' Administration of commissioned and enlisted personnel, such as doctors, nurses, dentists, veterinarians, allied scientists and technicians, including enlisted men to serve as attendants, when the Veterans' Administration deems these people necessary and the armed services are agreeable to it. The Veterans' Administration has not made use of any personnel under this authority since 1948. It does not propose to seek personnel now or in the foreseeable future. It states only that its situation may become critical in the future and that this legislation is by way of stand-by authority in the event that things do become critical. The Veterans' Administration has, of course, increased its facilities by way of additional hospitals, etc., over the past few years and its needs are continually increasing. However, its recruitment program has been such that it has not had to make use of the power provided by this statute. Under its recruitment program the Veterans' Administration can select the people whom it recruits whereas in taking personnel from the Armed Forces it might not get people best qualified to do the job intended. It was pointed out at the hearings that wounded soldiers and other incapacitated military personnel, as distinguished from veterans, are taken care of, for the most part, in military hospitals.

1 (a) (6) (H. Doc. 368, p. 13) (hearings, p. 25)

LIABILITY OF INDUCTEES TO SERVE IN RESERVE COMPONENTS AND BE ORDERED TO ACTIVE DUTY IN TIME OF WAR (50 U. S. C. APPENDIX 454 (d))

This subsection of the Universal Military Training and Service Act (as amended by sec. 1 (g) of Public Law 51, 82d Cong.) sets out the Reserve obligations of inductees under that act and restricts the ordering of persons inducted, enlisted, or appointed under that act between June 24, 1948, and June 15, 1951, to active duty without their consent at times other than during *war or national emergency declared by the Congress.*

The committee has agreed not to recommend the extension of this provision and has therefore omitted it from the bill.

This item pertains to the liabilities of enlisted servicemen to serve in the Reserve components and to be ordered to active duty in time of war. It applies to a limited group of men who were taken into service between June 24, 1948, and June 15, 1951, and placed on Reserve status a short time thereafter and whose liability under basic law expires at the end of either 5 or 6 years in the Reserves. The witness from the Armed Forces testified that they are not now taking any of those men into the service nor do they have any plans to do so in the foreseeable future. In addition, if necessary they are available by proper administrative change in their draft classification under the Selective Service System if the need urgently arises to call them back into active service. Accurate statistics could not be given on the number of people in this category. There are in all 272,000 enlisted reservists; 109,000 reservists have been recalled since the Korean conflict, 163,000 have not been. This latter figure does not necessarily include the reservists in this special category, that is people inducted, and so forth, from June 1948 through June 1951, but it may do so. The Department of Defense failed to make out persuasive argument justifying retention of this provision other than the fact that such authority is necessary in the event of rapid expansion of the Army.

Even though it is eliminated from this bill this law will remain in the statute books and those reservists can be called back in any event without their consent during war or national emergency declared by the Congress.

1 (a) (7) (H. Doc. 368, p. 13) (hearings p. 523) (H. J. Res. 477—
1 (a) (4))

CONTRACTS FOR ARMY AND NAVY DEFENSE FACILITIES (50 U. S. C. APPENDIX 773, 1171A, 1171B)

This item is authority for the Secretary of War to provide for installations for manufacture of military equipment, at military posts, plants, etc. (including privately owned plants), and for storage and shelter, to exchange surplus equipment, and to operate or dispose of plants, *during the continuance of the present war and for 6 months after the termination of war or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate.*

The committee recommends that this provision be continued, with language extending it to the Navy.

This item confers upon the Secretary of Defense the authority to acquire and operate buildings and facilities in connection with providing the installations for the manufacture of military equipment at military posts and plants including privately owned plants and for storage and shelter. This statute is the only authority for the appropriation in the Department of Defense's fiscal bill for 1952 for the Secretary of the Army to expedite production. The testimony shows that while the Army has little difficulty in programing construction at military bases well enough in advance to obtain specific authorization for appropriations it cannot as far as nonmilitary installations are concerned predict accurately what their needs will be or what bottlenecks in production might occur. As a result they cannot

provide a specified well defined and delineated program for advance construction or advanced expansion of privately owned plants. Real-estate transactions will be subject to agreement with the committees on Armed Forces under Public Law 155, Eighty-second Congress, as provided in section 4 of the instant bill.

1 (a) (8) (H. Doc. 368, p. 14) (hearings pp. 124, 523) (H. J. Res. 477, 1 (a) (5))

ENTERTAINMENT AND INSTRUCTION OF ARMY AND AIR FORCE ENLISTED PERSONNEL (50 U. S. C., APPENDIX 761) AND AUTHORITY TO ACQUIRE LAND AND INTERESTS THEREIN WITHOUT REGARD TO CERTAIN RESTRICTIONS (50 U. S. C., APPENDIX 767, 771)

Title 50, United States Code, appendix section 761:

During the continuance of the present war and for 6 months after the termination of the war, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate (50 U. S. C. 776) the Secretary of War is authorized to provide for entertainment and instruction in connection with the welfare of enlisted personnel.

The committee recommends the extension of this item.

This item contains the only authorization for appropriations for the entertainment and instruction of Army and Air Force personnel. The committee recommends that the entertainment phase of this program be continued. As to educational instruction, the witnesses pointed out that such instruction is in part compulsory and in part voluntary, the voluntary part to be taken, if at all, during the serviceman's so-called leisure time. The mandatory or compulsory requirements relate to that instruction given to military personnel in order to bring them up to a point where they are trainable (comparable to the fifth grade in grammar school). It also includes giving instructions to others equivalent to eighth-grade training so as to qualify them for specialist schools. The other phase which relates to education during leisure hours concerns high school and undergraduate college work. For this phase of its program the Army offers correspondence courses (USAFI). It bears the complete expense except for a \$2 registration fee. It also enters into contracts with high schools and colleges where military personnel may pursue courses in which case the Army pays 75 percent of the tuition. It was pointed out that the universities of California, Louisiana, and Maryland have instructors overseas making available courses leading toward college degrees which, if this legislation is not continued, the universities will be unable to continue because of the great expense involved. In the last year, the total cost for all types of instruction borne by the Air Force was \$1,055,000, by the Army \$2,225,000. The committee recommends this legislation because of the opportunity it affords servicemen to better themselves but it is of the fixed opinion that a detailed study of the educational program now being carried on by the Armed Forces should be made in order to make certain that the courses taught both in private institutions and by the Armed Forces through civilian instructors are those that aim at perpetuating the accepted American way of life and not, under the guise of academic freedom, some political foreign ideological propaganda.

1 (a) (9) (H. Doc. 368, p. 15) (hearings, p. 40)

1 (a) (34) (H. Doc. 368, p. 23) (hearings, p. 54)

1 (a) (9) MILITARY STATUS OF COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE AND UNIFORM ALLOWANCES IN TIME OF WAR (42 U. S. C. 213, 214, 217)

Under this statutory authority, the President may, *in time of war*, declare the commissioned corps of the Public Health Service to be a military service, making it a branch of the land and naval forces of the United States subject to the Uniform Code of Military Justice. *With respect to active service in time of war*, the commissioned corps is entitled to full military benefits such as death payments and veterans' compensation. Executive Order No. 9575, dated June 28, 1945 (10 F. R. 7589), extended by a later order to June 1, 1952, created this status.

1 (a) (34) RECALL TO WARTIME DUTY OF RETIRED PUBLIC HEALTH SERVICE OFFICERS

(Public Health Service Act, 42 U. S. C. 212 (c))

This provision authorizes the Public Health Service, *in time of war*, to recall to duty an officer retired for age or length of service.

The committee has agreed not to recommend the extension of these provisions and has therefore omitted them from the bill.

As to the first item (1 (a) (9)) the Public Health Service points out that if this section is not continued it will lose certain personnel who have been assigned to so-called undesirable positions and locations overseas and in the continental United States. By keeping this statute, all of its personnel will have the benefits that spring from being part of the Armed Forces, such as veterans' benefits and uniform allowances. In addition, it states it needs this power to fill certain positions it is called upon to fill by the Federal Civil Defense Administration.

As to the second item (1 (a) (34)) the service says this authority is needed because it permits it to call back to active duty certain retired personnel over 64 years of age to secure the proper staffing of its agencies.

The committee opposes continuation of these provisions because (1) the service does not have any such retired personnel in the service now and (2) it is about to have introduced permanent legislation to secure the benefits they now enjoy by being a branch of the Armed Forces. While the committee recognizes that the Government drafts and otherwise recalls people into the military service, it does not consider the Public Health Service, so far as compulsory retention of its personnel is concerned, as being as vitally necessary to our immediate national security as are the regularly established components of the Armed Forces.

1 (a) (10) (H. Doc. 368, p. 15) (hearings p. 146) (H. J. Res. 477, 1 (a) (6))

FOREIGN CLAIMS ACT: CLAIMS COMMISSION NEED NOT BE COMPOSED OF OFFICERS OF THE SERVICE CONCERNED (31 U. S. C. 224i)

Settlement of foreign claims authorized by this act may be made by any commission appointed for the purpose even though the commission is not composed of officers of the service concerned, if such settlement is made *in time of war*.

The committee recommends the continuation of this provision.

Peacetime law provides that a claims commission settling foreign claims authorized by this act shall be composed of officers of the particular branch of the armed services against which the claim is made; thus, for example, claims which arise by reason of activity on the part of Navy personnel must be settled by a claims commission composed of Navy personnel. Because of joint activities of the different branches of the armed services in many foreign areas at the present time, it is desirable to continue the wartime provision whereby a commission may be composed of any officers appointed for the purpose.

1 (a)(11)(H. Doc. 368, p. 15) (hearings, p. 426) (H. J. Res. 477, 1 (b)(4))

AUTHORITY TO OPERATE FARMS AND PLANTATIONS OUTSIDE THE UNITED STATES OF AMERICA FOR THE PROVISIONING OF TROOPS (10 U. S. C. 1214; 34 U. S. C. 555b)

After the termination of the present war, the operation and management of any plantation or farm under the jurisdiction of the Armed Forces outside the continental United States, for furnishing fresh fruits and vegetables to the Armed Forces, shall be accomplished as far as practicable through private contractors.

The committee recommends that this peacetime limitation shall continue to be inoperative. In many instances foreign plantations are located within the physical boundaries of the military stations and the subcommittee agrees with the Armed Forces that for security reasons it is advisable to permit the Armed Forces to continue to operate those farms and plantations with their own personnel.

1 (a) (12) (H. Doc. 368, p. 16) (hearings p. 75) (H. J. Res. 477, 1 (a) (7))

MISSING PERSONS ACT (50 U. S. C. APPENDIX 1001-1012, 1014, 1015)

Until the termination of the present war with Germany, Italy, and Japan, and for 12 months thereafter, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate, there are authorized: (1) Pay and allowances of certain missing persons; (2) certain administrative action regarding allotments, payments and settlement of accounts of such persons; and (3) movement of dependents and household goods of certain missing, injured, or dead military personnel.

The committee recommends the continuance of this item, with clarifications appropriate to a period in which there is no declared state of war.

The Missing Persons Act, as amended, is the authority under which the heads of the executive departments are authorized to continue to credit the pay accounts of persons who are missing or missing in action and to continue, make or modify allotments of pay from those accounts during such periods of absences. It also authorizes the head of the department concerned to make a finding of death, if appropriate, after an absence of 1 year or a greater period, and thereby enables the department to settle the individual's accounts.

While the personnel of the Armed Forces constitute the overwhelming majority of those covered under this statute, nevertheless civilian employees of executive agencies outside the continental United States are covered if they are not part-time employees. At the time of the hearings on this subject there were over 11,000 casualties being carried as captured or missing as the result of the Korean operations. Should the Korean conflict continue beyond the period of 1 year after the recent proclamation of peace with Japan, there would automatically be removed any authority to continue the pay or allotments of those individuals. Consequently, in order that this beneficial legislation will suffer no danger of lapsing, with the attendant suffering by dependents, the subcommittee recommends that it be extended so as to give the departments concerned time to seek enactment of a permanent law on the subject.

1 (a) (13) (H. Doc. 368, p. 16) (hearings p. 108) (H. J. Res. 477, 1 (a) (8))

PROVISION FOR UNIFORM ALLOWANCE OF \$250 FOR CERTAIN OFFICERS
AND WARRANT OFFICERS SERVING ON ACTIVE DUTY IN THE ARMY
AND AIR FORCE (10 U. S. C. 904b, 904c, 904d)

During the period of the wars in which the United States is now engaged and for 6 months thereafter (10 U. S. C. 904b) company grade Reserve officers of the Army and Air Force are entitled to a uniform allowance of \$250 upon their first tour of extended active duty.

The committee recommends the continuation of this provision.

This item provides for an allowance of \$250 for uniforms to company grade officers including warrant officers, who are on active duty in the Army or the Air Force. It does not apply to the Navy. Personnel who benefit under this section receive the uniform allowance once only. The House has already passed a Reserve Act which provides in substance for a larger over-all uniform allowance for these military personnel. That act, if the Senate passes it, will supersede this section. The committee therefore sees no reason why this temporary provision should not meanwhile be continued.

1 (a) 1 (4) (H. Doc. 368, p. 16) (hearings p. 410) (H. J. Res. 477, 1 (a) (9))

CERTIFICATES OF OFFICERS OF ARMED FORCES FOR PAY AND ALLOWANCE ACCOUNTS TO BE ACCEPTABLE WITHOUT SUBSTANTIATION (50 U. S. C. APPENDIX 836)

During the existence of the present war in which the United States is engaged, and during the 6 months immediately following the termination of such war, officers' certificates may be accepted as supporting vouchers for pay and allowance accounts without further supporting evidence.

The committee recommends the continuation of this provision.

This provision permits officers to certify to the correctness of their own pay vouchers. The vouchers are thereafter subject to audit at area headquarters and the records together with the pay vouchers may be revised if found to be erroneous. Under peacetime provisions the commanding officer of the post is required to investigate and certify to the pay and allowances due officer personnel. The procedures developed under the present legislation have greatly reduced administrative paper work in connection with base pay, longevity, etc. Because of the frequent transferring of military personnel from one station to another today, disbursing officers would be greatly hindered in making timely payments in many cases due to lack of supporting documents if this provision were not continued. To require commanding officers to assume the burden of certifying pay and allowance accounts would, of course, hamper them in performing their primary military duties.

1 (a) (15) (H. Doc. 368, p. 17) (hearings p. 130) (H. J. Res. 477—1 (a) (10))

SUSPENSION OF THE PROHIBITION AGAINST PAYMENT OF DEPOSITS, AND INTEREST THEREON, OF ENLISTED MEN UNTIL FINAL DISCHARGE (10 U. S. C. 906 AND NOTE AND 907 AND NOTE)

During the present war and for a period of 1 year thereafter, the provisions of law which prohibit payment of soldiers' deposits and interest thereon until discharge are suspended.

The committee recommends that this provision be extended.

Under the basic law, which is 60 years old, an enlisted man, while he may make a deposit with the Armed Forces, may not withdraw any of the money so deposited until he is finally discharged. The provision here dealt with amends that law so as to enable enlisted personnel to withdraw deposits at any time. It was pointed out at the hearing that the basic law has long been outmoded and that permanent legislation is about to be introduced to correct this defect. While the committee recommends that meanwhile the provision here dealt with be continued, it nevertheless notes that both wartime and peacetime provisions provide for forfeiture of the deposit when a man has been found guilty of desertion. The committee cannot point out too strongly that the forfeiture of anyone's goods strikes at the very spirit of American principles as embodied in our Constitution. While

a deserter should be punished, a forfeiture of his money which indirectly affects and could deprive his family of material things, strikes at the roots of the very principles of government which our forebears fought for and upon which our Government is founded. In connection with the contemplated permanent legislation on this subject, the committee recommends that this particular provision be given the close scrutiny of the committee to which the bill is referred.

1 (a) (16) (H. Doc. 368, p. 17) (hearings, pp. 393, 444)

PROVISION PERMITTING VOTING BY MAIL OF PERSONS SERVING IN
THE LAND OR NAVAL FORCES (50 U. S. C. 301-303)

This act prescribes the right of otherwise qualified military personnel to vote by mail *in time of war* for Federal officials regardless of absence from residence and prohibits the imposition of poll taxes as a condition for such voting.

The committee agreed not to recommend the extension of this provision and has therefore omitted it from the bill.

The purpose of this legislation is to enable otherwise qualified voters of the Armed Forces to cast votes in national elections while absent from their State of residence, notwithstanding any provision of State law relating to the registration of qualified voters or the payment of poll tax. Whether the Federal Government has the power to suspend the State right to impose a poll tax, or to require actual presence in registering, presents a substantial constitutional question. While the committee is not recommending the continuance of this legislation, it nevertheless notes that most States, by State legislation, have (1) provided opportunity for voting by servicemen and (2) that no State today requires a poll tax of any Armed Forces personnel who are otherwise eligible to vote.

1 (a) (17) (H. Doc. 368, p. 170) (hearings p. 560) (H. J. Res. 477,
1 (a) (11))

PROHIBITING PHOTOGRAPHING, SKETCHING, MAPPING, ETC., MILITARY
AND NAVAL RESERVATIONS, PROPERTIES, EQUIPMENT, ETC. (50
U. S. C. APPENDIX 781-785)

For the duration of the present war as determined by proclamation of the President, knowingly and willfully, photographing, sketching, mapping, etc., military and naval installations and equipment, except as authorized by Secretaries of the military departments, is prohibited. The penalty is not more than \$1,000 or 1 year imprisonment or both.

The committee recommends that this provision be continued.

This section is to prevent the making of photographs, and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes. The act is designed to increase protection against espionage. Frequently photographers, having no intention to injure the United States or to aid a foreign nation, make photographs of certain vital installations which are later published or otherwise made available to the general public. Such

dissemination makes it readily available to enemy agents within the United States and such information in the hands of the enemy may prejudice our war effort, or our national defense. The Espionage Act which requires the actual proof of intent to injure the United States or to aid a foreign nation in order to obtain a conviction does not handle the problem of the innocent photographer who photographs with no intent to injure the United States or to aid a foreign nation, but publishes this photograph, therefore injuring national defense efforts. Because of its light penal provision and because innocent persons may well give information that would be harmful to the country, the act was written so that no criminal intent to injure the security of the United States need be shown in order to maintain a successful prosecution.

1 (a) (18) (H. Doc. 368, p. 17) (hearings, p. 259) (H. J. Res. 477, 1 (a) (12))

CONTINUATION OF AUTHORITY UNDER THE LANHAM ACT NEEDED TO OPERATE OR REACTIVATE EXISTING HOUSING PROJECTS (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571)

Section 301 of the Lanham Act, as amended (42 U. S. C. 1541), provides that the authority contained in sections 1, 202, 401; and 402 of that act (42 U. S. C. 1521, 1532, 1561, and 1562) (with respect to provision of World War II housing and community facilities) will terminate *when the President shall have declared that the emergency declared by him on September 8, 1939, has ceased to exist* except with respect to contracts on projects previously entered into or undertaken and court proceedings then pending. The World War II housing and community facilities referred to are housing projects which the Federal Government provided for defense workers and military personnel immediately prior to, and during World War II and community facilities or public works such as streets, sewer lines, sewage-treatment plants, water lines, and USO facilities provided in war-crowded areas.

Authority with respect to the provision of housing for veterans and servicemen and their families under title V of the Lanham Act (sec. 501 et seq.) also depends on section 301.

The committee recommends the continuance of this item, with the addition of language continuing the 1939 emergency for the purpose of continuing the use of property held under the Lanham Act. (The Emergency Powers Interim Continuation Act, approved April 14, 1952, continued that emergency for that purpose until June 1, 1952, and that continuation was recognized by the President's proclamation of April 28, 1952, terminating the 1939 and 1941 emergencies.)

Purpose of the continuance of this item is to remove any doubt about continuing the operation of the Lanham Housing Act, particularly the rehabilitation and reactivation of any units that have been placed on an inactive status. In addition, thousands of condemnation proceedings, some of which were commenced as far back as 1940, would otherwise have to be refiled and started anew. Congress has several times authorized increases in the rentals and awards payable with respect to properties covered by this item.

- 1 (a) (19) (H. Doc. 368, p. 18) (hearings, p. 133) (H. J. Res. 477, 1 (a) (14))

SALES TO CIVILIANS AT NAVAL STATIONS AND POST EXCHANGES WITHIN THE CONTINENTAL UNITED STATES WHEN PRIVATE SERVICES ARE NOT AVAILABLE (34 U. S. C. 533)

This provision, operative in time of war and not exceeding 6 months thereafter, authorizes sales to civilians at naval stations and post exchanges within the continental United States when the Secretary of the Navy finds that it is impracticable for such persons to procure such stores from private agencies without impairing the efficient operation of the stations. The act also authorizes the sale of stores to civilians at stations beyond the continental limits of the United States but this latter provision is not limited under the wartime provision.

The committee recommends that this provision be continued.

At present the Navy has authorized civilian purchases at two naval establishments. In one instance the nearest town is 80 miles distant from the naval station, and the other is 30 miles away. Other instances where such permission is granted apply to individual persons whose duties require their presence 24 hours per day and in some instances over a period of several days at a time at the particular naval station. Each individual so privileged has been approved by the Secretary of the Navy.

- 1 (a) (20) (H. Doc. 368, p. 19) (hearings p. 22) (H. J. Res. 477, 1 (a) (15))

USE OF VETERANS' ADMINISTRATION VEHICLES FOR TRANSPORTING EMPLOYEES (38 U. S. C. 11a note)

During the present war and not exceeding 6 months after the termination of the war the Administrator of Veterans' Affairs is authorized to use automobiles of the Veterans' Administration to transport employees between field stations and nearest public transportation lines at reasonable rates of fare, if the Administrator finds that other public and private facilities are not adequate and that efficiency will be promoted thereby.

The committee recommends that this provision be continued.

This authority is now being used in only five places: hospitals in Texas, Maryland, Michigan, Montana, and Nebraska. An illustrative case is where dietary personnel have to arrive at the hospital at 5 a. m. in order to have breakfast ready by 6 o'clock and the first bus scheduled to arrive at the hospital is 7 a. m. As stated, the personnel, pay a reasonable fare to the Veterans' Administration.

- 1 (a) (21) (H. Doc. 368, p. 19) (hearings, p. 415) (H. J. Res. 477-1 (a) (16))

AUTHORITY FOR FOREIGN EXCHANGE TRANSACTIONS FOR BENEFIT OF ARMED FORCES PERSONNEL (50 U. S. C. APPENDIX 1705 AND NOTE, 1706, 1707)

This authority for foreign exchange transactions for the benefit of Armed Forces personnel is effective *during the continuance of the present war and for 6 months after the termination of the war or until*

such earlier time as the Congress by concurrent resolution or the President may designate.

The committee recommends the continuance of this item.

This provision permits disbursing officers of the Armed Forces and other departments of Government to carry on foreign exchange transactions such as cashing checks, etc., for Armed Forces personnel and civilian employees, and provides authority for the use of funds to cover losses that result from engaging in those foreign exchange transactions. We have Armed Forces in more than 40 different countries and in many isolated places where there are no commercial institutions where personnel may convert money into foreign currency unless the disbursing officer is permitted to do so. In no instance, where checks are cashed, are personal checks authorized. Check cashing is restricted to bank drafts and bills of exchange of responsible financial institutions. While this provision provides for the use of Government funds to cover losses sustained from foreign exchange transactions it also provides that any gains resulting from such transactions are to be deposited in the Treasury as miscellaneous receipts. The testimony indicates that the losses are negligible.

1 (a) (22) (H. Doc. 368, p. 20) (hearings, p. 56, 60) (H. J. Res. 477-1 (a) (18))

FREE IMPORTATION OF PERSONAL AND HOUSEHOLD EFFECTS BROUGHT INTO THE UNITED STATES ON GOVERNMENT ORDERS (50 U. S. C., APPENDIX 801-802)

Until on or after the day following the proclamation of peace by the President duty-free importation, pursuant to Government orders, of personal and household effects of persons in the service of the United States, or their families, or of persons evacuated to the United States under Government orders, is authorized.

The committee recommends that this provision be extended.

This item permits military and other Government-employed personnel who have served overseas to import duty-free personal and household effects. While peacetime law permits a person who has owned an article of personalty for a year or more while overseas, to bring it into the country duty free, the person has to bring the article back with him. There are situations where personnel are transferred from one foreign station to another where they cannot bring their families, or, if ordered home, are delayed in returning home and send the furniture, etc., on ahead. Since the beneficiaries of this privilege are to a large extent moved or evacuated upon the initiative of the Government and not of their own volition, the committee feels that this privilege should be continued.

1 (a) (23) (H. Doc. 368, p. 20) (hearings, p. 270)

PAYMENT FOR USE OF WHARVES AND LANDINGS UNDER CONTROL OF THE TERRITORY OF HAWAII (48 U. S. C. 510 NOTE)

This provision authorizes payment by departments and agencies of the United States for use of wharves and landings under the control of the Territory of Hawaii. It is effective *during the period commencing on January 1, 1942, and ending, unless Congress shall fix an earlier*

date, 6 months after the termination of the present war, and constitutes an exception to an act passed in 1900, providing for free use by the United States of these facilities.

The committee has agreed not to recommend the extension of this provision and has therefore omitted it from the bill.

Under the act passed in 1900, the United States Government is entitled to use wharves and landings in Hawaii without charge. Because of the greatly increased demand and use of these wharves during World War II, the basic law was suspended and the instant statute enacted so as to make provision for the payment of reasonable fees to the Territory of Hawaii, based on wharf usage, by the United States Government. The record discloses the peak payment of \$104,000 in 1945. In 1950 the payment was \$5,000; in 1951, \$1,200, and the expectation in 1952-53 is that the payment will be about \$1,200 unless, of course, world conditions grow worse. The committee notes that despite the Korean conflict, which began in June 1950, the amount of usage and payment has not increased and therefore recommends that because of the nominal amounts involved the statute be eliminated. Should conditions change overnight to warrant greatly increased usage, legislation can be enacted that would compensate, retroactively, the Territory of Hawaii for such usage.

1 (a) (24) (H. Doc. 368, p. 20) (hearings, p. 212)

2 (b) (7) (H. Doc. 368, pp. 29-30) (hearings, p. 216)

2 (b) (8) (H. Doc. 368, p. 30) (hearings, p. 218)

2 (c) (H. Doc. 368, p. 31) (hearings, p. 219)

1 (a) (24) RIGHTS UNDER PUBLIC LANDS LAWS OF PERSONS SERVING IN THE ARMED FORCES OF THE ALLIES OF THE UNITED STATES (50 U. S. C. APPENDIX 572)

Citizens of the United States who serve with the forces of any nation with which the United States may be allied in the prosecution of any war in which the United States engages while this act remains in force shall, if certain conditions are met, be entitled to the same protection from loss of rights under the public land laws as is granted by other provisions of this act to persons serving in the Armed Forces of the United States. This provision is effective, as regards the present war, until such war is terminated by a treaty of peace proclaimed by the President and for 6 months thereafter, with a saving provision for rights accrued before its termination (50 U. S. C. appendix 584).

2 (b) (7) VETERANS' PREFERENCE UNDER THE HOMESTEAD AND OTHER LAND LAWS (43 U. S. C. 279-283)

Any person who has served in the military or naval forces of the United States for a period of at least 90 days, at any time on or after September 16, 1940, and prior to the termination of the present war, and is honorably discharged and thereafter makes homestead entry shall have the period of such service, not exceeding 2 years, construed to be the equivalent of residence and cultivation upon the land for the same length of time. Certain benefits are provided also for sur-

living spouses and children, and they and veterans have, until September 27, 1954, a preferred right of application under the homestead and certain other land laws.

2 (b) (8) VETERANS' PREFERENCE WITH RESPECT TO LANDS WITHIN THE BOULDER CANYON PROJECT (43 U. S. C. 617h)

In connection with lands within the Boulder Canyon project (lands in California and Arizona reclaimed by irrigation), this provision grants an exclusive preference right of entry on lands of the United States to *all persons who served in the United States Army, Navy, Marine Corps, or Coast Guard during World War II* or certain enumerated previous wars or insurrections.

Section 2 (c) extends the September 27, 1954, time limit for the preferential exercise of veterans' rights, as set forth in the explanation of item 365 (f) (the second preceding item).

EXPLANATION

Item 1 (a) (24) gives to American citizens, and aliens, who have filed their intention to become citizens, and who served in the armed forces of our allies, the same rights in securing home sites, etc., under the public land laws, as Americans serving in the United States Armed Forces. Ordinarily a person has to establish a 3-year residence on these home sites. Veterans, if they have 2 years' service in the Armed Forces, need only establish a 1-year residence.

Item 2 (b) (7) relates to the United States veterans' preferences with regard to homesteading laws (distinguished from 1 (a) (24) above which relates to people serving in allied armies who are not classified as veterans).

Item 2 (b) (8) relates specifically to servicemen's preference in the Boulder Canyon project located in California and Arizona and which was arid land reclaimed by irrigation.

The committee has agreed not to recommend the extension of these provisions and has therefore omitted them from the bill.

The failure to extend these statutes does not deprive any serviceman who has already earned his entitlement to any of their benefits. While all these items carry preferences, there are, as a matter of practical fact, no real benefits to be derived from continuing these sections, as there are more applications presently pending than there is suitable land available. In addition there is, according to the evidence adduced at the hearing, little possibility of finding additional land suitable for homesteading.

1 (a) (25) (H. Doc. 368, p. 21) (hearings, p. 135) (H. J. Res. 477, 1 (a) (23))

UTILIZATION OF THE AMERICAN NATIONAL RED CROSS IN AID OF ARMED FORCES (36 U. S. C. 10, 11)

In time of war or when war is imminent or when there is a threat of hostilities, the President is authorized to accept the assistance of and to employ the American National Red Cross to assist the Armed Forces. Transportation, subsistence, and waiver of passport fees for Red Cross personnel are authorized.

The committee recommends that this provision be extended.

With the expansion of the Armed Forces there comes an increasing number of family separations by reason of military personnel being ordered to distant points in the United States and overseas. This situation has called for a greater demand on the services of the American Red Cross, requiring, among other things, a tremendous increase in its personnel.

1 (a) (26) (H. Doc. 368, p. 21) (hearings p. 387) (H. J. Res. 477, 1 (a) (24))

PRIORITY OF TRANSPORTATION FOR TROOPS AND MATERIALS OF WAR
(10 U. S. C. 1362; 49 U. S. C. 5 (8))

In time of war or threatened war preference and precedence shall, upon demand of the President, be given over all other traffic for the transportation of troops and materials of war.

The committee recommends the extension of this provision. This is the only provision authorizing the establishment of priority in the transportation of persons, as distinguished from commodities.

1 (a) (27) (H. Doc. p. 21) (hearings pp. 318, 455)

POWER OF THE PRESIDENT TO ASSUME CONTROL OF TRANSPORTATION
SYSTEMS IN TIME OF WAR (10 U. S. C. 1361)

The President, *in time of war*, is empowered, through the Secretary of War, to take possession of and control any transportation system, or any part thereof, and utilize it to the exclusion as far as necessary of all other traffic for the movement of troops, war material, and equipment and for such other purposes connected with the emergency as may be needful or desirable.

The committee has agreed not to recommend the extension of this provision and has therefore omitted it from the bill.

The committee is of the opinion that Congress should be cautious in continuing such a tremendous grant of power in the Executive. When Congress enacted this law in 1916, it limited its provisions to "time of war" only and this committee sees no reason why this limitation should not be suspended.

In omitting this item from the bill, the committee wishes to note that its action is concluding only the present effectiveness of the statute's provisions. Should, of course, a state of war again exist, the President would again be empowered to utilize the powers granted by the act.

1 (a) (28) (H. Doc. 368, p. 21) (hearings pp. 379, 406) (H. J. Res. 477, 1 (a) (25))

AUTHORITY OF THE INTERSTATE COMMERCE COMMISSION, UPON
CERTIFICATION BY THE PRESIDENT, TO ESTABLISH PREFERENCES
AND PRIORITIES IN TRANSPORTATION (49 U. S. C. 1 (15))

In time of war or threatened war the President may certify to the Interstate Commerce Commission that it is essential to the national defense and security that "certain traffic" shall have preference or

priority in transportation, and the Commission shall, under its powers stated in this section, direct that such preference or priority be afforded.

The committee recommends that this provision be continued.

Upon certification by the President, the Interstate Commerce Commission must, when a situation arises where there are shortages in certain materials, or, other conditions of complaint presented to it, such as congested traffic conditions, order, without notice or hearing, priorities and preference to expedite the shipment of such materials or untangle snarled traffic. This provision is unlimited with respect to the commodities to which it applies, whereas item 1 (a) (26) applies only to "materials of war" (in addition to troops). This provision is also important from the standpoint of national security, since it permits the President to effectuate priorities for particular goods without disclosing their nature or the reason why the priority is necessary.

Inclusion of this item in this bill is considered necessary because a "threatened war" does not necessarily exist during an emergency.

1 (a) (29) (H. Doc. 368, p. 22) (hearings, p. 379) (H. J. Res. 477, 1 (a) (26))

APPLICATION TO FREIGHT FORWARDERS OF THE AUTHORITY OF THE INTERSTATE COMMERCE COMMISSION, ON CERTIFICATION BY THE PRESIDENT, TO ESTABLISH PREFERENCES AND PRIORITIES (49 U. S. C. 1020)

By this provision the authority referred to in item 402 (immediately preceding), with respect to priorities in transportation, is made applicable to freight forwarders. This authority was enacted in 1942.

The committee recommends the continuation of this provision.

Freight forwarders usually have contracts with "line-haul" services, that is, motor carriers, which are common carriers subject to the provisions of the Interstate Commerce Act and the directions of the Interstate Commerce Commission. The committee recommends the continuation of this provision for the same reasons, with respect to transportation, as set out in item 1 (a) (28) above.

1 (a) (30) (H. Doc. 368, p. 22) (hearings, p. 540) (H. J. Res. 477, 1 (a) (27))

EMERGENCY ACQUISITION OF DOMESTIC OR FOREIGN MERCHANT VESSELS (52 U. S. C. APPENDIX 1271-1275)

This act grants the President authority to purchase, charter, or requisition the use of foreign merchant vessels lying idle in waters within the jurisdiction of the United States which are necessary for the national defense. The act also provides authority for the charter by the Maritime Commission of domestic and foreign vessels essential for the national defense without regard to the provisions of Revised Statutes 3709 (41 U. S. C. 5) relating to advertisement for proposals for purchases and contracts. The statute is effective *until 6 months after the termination of the present war shall have been proclaimed or until such earlier time as the Congress by concurrent resolution or the President may designate.*

The committee recommends the continuation of this provision.

The purpose of the act is to give the Government, among other things, a ready means to immobilize any foreign-flag vessels that may be in the jurisdictional waters of this country in the event that we find it necessary to immobilize them. It would deprive an actual or threatening enemy of a valuable piece of property that we could convert to our own use.

1 (a) (31) (H. Doc. 368, p. 22) (hearings p. 568) (H. J. Res. 477, 1 (a) (29))

PENALTIES FOR DISCLOSING DEFENSE INFORMATION, COMMITTING SABOTAGE, MANUFACTURING DEFECTIVE WAR MATERIALS, AND SPREADING FALSE REPORTS TO INTERFERE WITH THE ARMED FORCES (18 U. S. C. 794, 2153, 2154, and 2388)

Title 18, United States Code, section 794: Delivering defense information with intent or reason to believe that it will harm the United States or benefit a foreign nation is prohibited. *In time of war* the penalty for violation is death (not applicable in peace) or 30 years (20 years in peace). Further, *in time of war* gathering or publishing certain information with intent that it shall be communicated to the enemy is punishable by death or 30 years, this is not a crime in time of peace (but see 18 U. S. C. 793, which prohibits various acts of gathering or communicating defense information in wartime or peacetime, under penalty of \$10,000 or 10 years or both).

Title 18, United States Code, sections 2153 and 2154 provide for greater penalties *in time of war* (30 years or \$10,000 or both) than in time of peace (10 years or \$10,000 or both) for injuring or damaging war materials or making defective war materials.

Title 18, United States Code, section 2388 prohibits, *when the United States is at war*, the spreading of false reports with intent to interfere with the operations or success of the Armed Forces or to promote the success of the enemy. Fine or imprisonment or both are provided.

The committee recommends the continuation of these provisions, with amendments to clarify the application of certain phrases to a period in which there is no formally declared state of war.

These sections have peacetime and wartime penal provisions; the wartime provisions authorizing greater fines and penalties. The committee is of the opinion that the delivery of defense information to a hostile nation in peacetime, and other peacetime violations of these provisions, can be just as detrimental and catastrophic to our Nation as in time of war. The penalty, therefore, should not depend upon when the unlawful acts were committed but rather upon the harmful results they might have upon the security of our Nation. The result, of course, can be just as harmful to our Nation regardless of when the unlawful acts are committed.

- 1 (a) (32) (H. Doc. 368, p. 23) (hearings p. 285) (H. J. Res. 477,
1 (a) (30))

RESTRICTIONS AND PROHIBITIONS UPON THE ENTRY INTO AND
DEPARTURE FROM THE UNITED STATES OF ALIENS AND CITIZENS
(PASSPORT ACT, 1918, 22 U. S. C. 223-226B)

Permits imposition of restrictions and prohibitions upon the entry into and departure from the United States of aliens and citizens *when the United States is at war or during the existence of the national emergency proclaimed by the President on May 27, 1941*, and the President finds that the interests of the United States require such restrictions and prohibitions. It provides similarly as to aliens *whenever there exists a state of war between, or among, two or more states*.

The committee recommends that this item be extended.

This authority will be amply taken care of under the omnibus immigration bill which recently passed the House, but since that bill is not yet law and will not become effective until 6 months after its enactment, the instant measure is necessary in order to control the entry and departure of subversive individuals, whether aliens or citizens, and other persons whose movements, in the interests of national security, should be restricted.

- 1 (a) (33) (H. Doc. 368, p. 23) (hearings, p. 296) (H. J. Res.
477, 1 (a) (31))

ADJUSTMENT OF ROYALTIES FOR USE OF INVENTIONS IN AID OF
PROSECUTION OF THE WAR (35 U. S. C. 89, 90)

These sections provide authority for requiring the return to the Government of an amount representing the difference between royalty returns based upon prewar periods of normal production and those which would be appropriate to the expanded production caused by war. They are effective *during the continuance of the present war and for 6 months after the termination thereof* (35 U. S. C. 95).

The committee recommends that this item be continued, with language clarifying its application to a period in which there is no formally declared state of war.

The committee is mindful that such intervention on the part of the Government is an invasion of the right of contract between the licensor and the licensee; a contract to which the Government was not a party. Nevertheless the committee is of the opinion that when a period of war or national emergency exists an individual is not entitled to excessive profits but rather owes a duty to the country to accept what is reasonable compensation under the circumstances. There is now pending before the Judiciary Committee permanent legislation on this subject.

1 (a) (34). See item 1 (a) (9) supra

1 (b) (1) (H. Doc. 368, p. 24) (hearings p. 115) (H. J. Res. 477, 1 (b) (1))

RESTRICTIONS ON APPOINTMENT OF ARMY AND AIR FORCE RESERVE OFFICERS (10 U. S. C. 353)

This provision limits, *in time of peace*, appointments as Reserve officers in the combat arms and in the Air Force to appointments as second lieutenants except in the case of former Regular officers and officers in the Army during World War I. Also *in time of peace* such appointments are limited to former members of the Regular services, National Guard, and Reserve, and to persons who served in the Army during World War I or are Reserve Officers' Training Corps graduates.

The committee recommends the continued suspension of this peacetime limitation.

The basic law, passed in 1916, is now outmoded. Under it no person can be appointed a Reserve officer in the combat arms except in time of war. Presently, the services are appointing specialists to grades comparable to their experience. These specialists include such people as chemical or mechanical engineers, aeronautical engineers, cryptographers, translators, etc. Since August 1950 the Air Force has commissioned 2,917 such officers, and the Army, for the years 1951-52, commissioned 482 specialists. The testimony shows that the recruitment of these persons could not be obtained if the highest rank that could be offered was second lieutenant. It was also pointed out that under the appropriations act, Congress has the final say on what grade structure the different corps shall have. In other words, there can be no unlimited power of appointment in that Congress under the appropriations act sets up the grade structure for the armed services. It was pointed out that under the proposed Armed Forces Reserve Act the 1916 statute will be repealed and the necessary provisions of this act will be made permanent legislation. The committee feels that this method of appointment has great merit. Such specialists are certainly needed and the suspension of this section's peacetime limitation is recommended at least until such time as Congress has had an opportunity to take final action on the Reserve bill.

1 (b) (2) (H. Doc. 368, p. 24) (hearings, p. 120) (H. J. Res. 477, 1 (b) (2))

USE OF RETIRED PERSONNEL AS RESERVE OFFICERS' TRAINING CORPS INSTRUCTORS (10 U. S. C. 386)

In time of peace, Army and Air Force retired personnel may not be used as Reserve Officers' Training Corps instructors without their consent, and no officer on the active list shall be detailed for such duty where officers on the retired list can be secured who are competent for such duty.

The committee recommends the continued suspension of this peacetime limitation.

Under the peacetime law officers on active duty may not be detailed to ROTC instruction duty if retired officers can be secured for it. If, however, the services cannot find a requisite number of volunteers

who are fit, qualified, and willing among the retired personnel, then they may designate officers on active duty to do the job. Because of World War II there has been a vast increase in the number of retired personnel and it would be a monumental administrative undertaking to call, examine, and determine the people on the retired list who would be qualified and willing to be instructors. The witness who testified on this subject advised the subcommittee to which the legislation had been referred that only one volunteer from the retired list was found in 1951 and that, after examination, he was found to be not qualified. In any event, it is the considered opinion of the committee that for practical purposes active duty officers with their recent experiences and studies are best qualified to teach ROTC candidates and to keep the instruction in our schools up to date as to the latest innovations in military tactics and strategy.

1 (b) (3) (H. Doc. 368, p. 24) (hearings, p. 157) (H. J. Res. 477, 1 (b) (3))

NAVAL AVIATION CADET ACT: EMPLOYMENT OF NAVY AND MARINE CORPS AVIATION RESERVE OFFICERS IN TIME OF PEACE (34 U. S. C. 850i)

In time of peace officers of the Naval Reserve and Marine Corps Reserve commissioned pursuant to this act or to the Naval Aviation Reserve Act of 1939 (53 Stat. 819) may be employed on active duty only during the 7-year period next following the date of their commissioning except for employment on active duty in connection with the training of members of the Naval Reserve and Marine Corps Reserve.

The committee recommends the continued suspension of this peacetime limitation.

Many of the reservists now on active duty in the Navy and Marine Corps were commissioned during World War II and the 7-year limitation of time for their active service has expired or will expire in the near future. This extension applies only to volunteers and would prevent many thousands of flight personnel, and there are an estimated 3,600 aviators who have already submitted their request, to remain on active duty. Navy witnesses state that if the present status of this section is not continued its air arm will be seriously disrupted.

1 (b) (4) (5) (H. Doc. 368, p. 25) (hearings, p. 138) (H. J. Res. 477, 1 (b) (5); H. J. Res. 477, 1 (b) (6))

PURCHASE OF DISCHARGE BY ENLISTED PERSONNEL (34 U. S. C. 196; 10 U. S. C. 651)

These provisions enable Army and Navy enlisted personnel, subject to conditions prescribed by the President, to purchase their discharge *in time of peace*.

The committee recommends that this peacetime authorization be further suspended.

The committee is informed that purchase of discharge has not been permitted for many years and that this authorization is inconsistent with present policy of the Armed Forces and contemplated permanent

legislation. The committee is of the opinion that the wartime effectiveness of this provision is not only necessary during the present emergency but should be continued at least until Congress has passed upon the proposed legislation to repeal the basic law.

1 (b) (6) (H. Doc. 368, p. 25) (hearings, p. 439) (H. J. Res. 477, 1 (b)(7))

SUSPENSION OF THE PROVISIONS OF THE NEUTRALITY ACT WHICH PROHIBIT FINANCIAL TRANSACTIONS WITH GOVERNMENTS AT WAR WITH EACH OTHER (22 U. S. C. 447)

Subsection (e) of this provision suspends *when the United States is at war* another subsection which prohibits financial transactions by persons within the United States with governments proclaimed by the President to be at war with each other.

The committee recommends the continued suspension of the wartime prohibition.

On the basis of testimony at the hearing the committee is of the opinion that reinstatement of the wartime prohibition would be contrary to the national interest, since it might be desirable to permit trading with one or more of the warring countries. A flat statutory prohibition against all such trading would be a handicap to this country. With the wartime prohibition further suspended, as the committee recommends, the Government will be in a position, under other statutory authority, to prohibit trading with one or more of the belligerents as national interest may require.

1 (c) (H. Doc. 368, pp. 25-26) (hearings, pp. 163, 190, 193, 195, 197) (H. J. Res. 477, 1 (c))

CONTINUATION OF APPOINTMENTS OF WARRANT OFFICERS AND OF RESERVE COMPONENT OFFICERS OF THE ARMY AND AIR FORCE (10 U. S. C. 358, 506d (e), 513, 591a and 32 U. S. C. 19—National Defense Act, Officer Personnel Act, Warrant Officer Act)

Appointments as officers and warrant officers of the Army of the United States and of the United States Air Force, including appointments as officers and warrant officers in the Organized Reserve Corps, the Air Force Reserve, the National Guard of the United States, and the Air National Guard of the United States, are limited by these provisions to a maximum duration of the war or emergency during which they were appointed plus 6 months:

Appointment in every case in the Officers Reserve Corps shall be for a period of five years, but *an appointment in force at the outbreak of war shall continue in force until six months after its termination* (10 U. S. C. 358).

The appointment of a temporary officer (in the Army of the United States), if not sooner vacated, shall continue *during the emergency or war in which the appointment was made and for six months thereafter* (10 U. S. C. 506d (e)).

An appointment (for temporary rank in time of war) other than that of a member of the regular army made in time of war shall continue until six months after its termination. * * * (10 U. S. C. 513).

Such temporary appointments * * * shall remain in effect * * * in no case * * * beyond *six months after the termination of the war or period of national emergency* (10 U. S. C. 591a).

Officers in the National Guard of the United States shall be appointed * * * provided that *an appointment in force at the outbreak of war shall continue in force until six months after its termination* (32 U. S. C. 19).

The committee recommends that the President be authorized to continue appointments as officers and warrant officers of the Army and Air Force which would otherwise terminate under these provisions.

While the normal term of these appointments under the above sections varies, they all continue in force until 6 months after the termination of the war. For example, appointments in the Officers Reserve Corps and the Air Force Reserve are for a period of 5 years, but an appointment in force at the outbreak of war or made in time of war continues in force until 6 months after the termination of the war.

The 6-month period referred to in these statutes began running as a result of the Japanese Peace Treaty coming into force on April 28, 1952. By operation of present law some of these appointments would terminate 6 months after that date, and certain others would terminate upon the running of the 5-year term of the appointment. None of the appointments under any of these statutes terminated by operation of law prior to the coming into force of the Japanese Peace Treaty. Accordingly, this subsection of the bill authorizes the President to continue in force until July 1, 1953, all appointments under these statutes, which by operation of present law would terminate after April 27, 1952, and before July 1, 1953, without regard to any earlier date prescribed by law for their termination.

Between 80 and 90 percent of the reservists now on active duty and in the inactive reserves have held their Reserve commissions at least 5 years. The committee recognizes the undesirability of its proposal from the standpoint of the personnel involved, but its discontinuance would have a very serious detrimental impact on the Army and the Air Force. Eighty percent of all the officers on active duty are reservists, and 80 percent of those reservists will be affected by this proposal. It is believed that considerable numbers of these officers would request termination of their appointments if the Presidential authority under these sections is not continued.

The proposed Armed Forces Reserve Act of 1951, which will keep officer personnel in the Reserve only with their consent, even if enacted immediately, could not effectively handle the situation for a period of 18 months. One of the factors which was of weight with the committee's decision to recommend continuance of this authority is the fact that reservists, if recalled, are not retained on active duty for the entire period of the emergency, but only 24 months, and if they were in service during World War II, then only 17 months.

(d) (H. Doc. 368, pp. 26-27) (hearings, p. 150) (H. J. Res. 477, 2 (b))

EXTENSION OF TIME LIMIT FOR FILING OF CLAIMS BY ARMED FORCES PERSONNEL WHEN THE LOSS OCCURS IN TIME OF WAR (31 U. S. C. 222c, 222e)

Title 31, United States Code, section 222c, authorizes the settlement of claims against the United States, arising after December 7, 1939, by military personnel and civilian employees of the Army and Air Force for loss of or damage to personal property incident to their service. Such claims must be presented within 1 year after they arise. However, *if the incident giving rise to the claim occurs in time of war, or if war intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established.*

Title 31, United States Code, section 222e, makes this provision applicable to the Navy.

The committee recommends that the wartime provision of this section be continued under the instant bill.

The question before the committee was whether to approve a further extension of the maximum period for filing such a claim. The committee believes that a further extension is desirable and for that purpose has included in the bill an amendment to the statute here in question. The amendment provides in substance that claims arising during World War II or during the 1950 emergency may, on good cause shown, be presented 1 year after the emergency is terminated but not later than June 30, 1953.

The reason for the extension is to allow members of the Armed Forces who are still in the hands of Koreans to submit their claims even though the Japanese war has terminated. Legislation on this subject has passed the House but is still pending in the Senate. Claims cover only losses or damages to personal property which were incident to the claimant's military service. It is also intended by this section to extend the claims of World War II veterans on the theory that some of them may have never gotten back to the States or because of incapacitation by illness etc., have been unable to file. Since this extension and the claims thereunder will only be granted when good cause is shown for the delay in filing after the normal limitation of 1 year, abuse of the provision should not occur.

1 (e) (H. Doc. 368, p. 27) (hearings, p. 154) (H. J. Res. 477, 2 (c))

EXTENSION OF TIME LIMIT FOR FILING OF CLAIMS ARISING INCIDENT
TO THE NONCOMBAT ACTIVITIES OF THE ARMED FORCES IN TIME
OF WAR (31 U. S. C. 223b, 223d)

Title 31, United States Code, section 223b authorizes the settlement of claims not in excess of \$1,000 for damage to or loss or destruction of property, or for personal injury or death, caused by military personnel or civilian employees of the Army and Air Force while acting within the scope of their employment, or otherwise incident to non-combat activities. Such claims must be presented within 1 year after they arise. However, *if the incident giving rise to the claim occurs in time of war, or if war intervenes within 1 year after its occurrence, any claim may on good cause shown be presented within 1 year after peace is established.* Title 31, United States Code, section 223d makes this provision applicable to the Navy.

The committee recommends that the wartime provisions of this section be continued for the Korean conflict.

Here, as in the preceding item, the question before the committee was whether to approve a further extension of the maximum period for filing such a claim. The committee believes that a further extension is desirable and for that purpose has included in the bill an amendment to the statute here in question. The amendment is like that proposed for the preceding item but does not affect claims which arose before the Korean incident began.

The claims authorized to be compensated include such items as real estate of persons who have leased their land to the Armed Forces for maneuvers and who are not in a position to know when damage has been inflicted; also, claims that might arise through the nonreceipt of mail. Quite often addressees who receive mail are not in a position to know what the mails contents originally were but at some later date because of a post-office receipt or express receipt are able to show that articles were mailed which were not received. This statute specifically excludes World War II activities and includes only damage happening since the beginning of hostilities in Korea. Amounts allowed are limited to the actual cost of the item damaged or not received; in cases of personal injury, to medical bills; and in cases of death, to funeral expenses.

2 (b) (1) (H. Doc. 368, p. 28) (hearings, p. 83) (H. J. Res. 477, 1 (a) (13))

PROVIDING FOR COMPENSATION TO CIVIL EMPLOYEES OF THE UNITED STATES OR ITS CONTRACTORS OUTSIDE THE UNITED STATES FOR INJURIES OR DEATH RESULTING FROM "WAR-RISK HAZARDS" (42 U. S. C. 1701-1706, 1711-1717)

This act provides compensation benefits for certain employees of the United States or of contractors with the United States for injury or death resulting from specified "war-risk hazards" (as distinguished from normal workmen's compensation) *arising after December 6, 1941, and prior to the end of the present war.* The persons protected by this act include persons working on projects for the "public use of the United States or its allies." The hazards covered include "belligerent action of any enemy," "taken by an enemy," "attack by an enemy" and "action of the enemy."

The committee recommends the continuation of this item, with clarifications concerning its application to a period in which there is no formally declared state of war.

It provides for compensation to civilian employees of the United States or its contractors who are employed outside of the United States; the compensation being for injury or death resulting from war-risk hazards, but does not affect hazards incident to their employment i. e.; of the normal workmen's compensation type. This legislation was passed early in World War II because of the large number of employees of Government contractors who suffered death or injury at Wake Island, the Philippine Islands, etc. There are about 50,000 American citizens who are now so employed working in such places as Turkey, Arabia, Tripoli, Iceland, Greenland, the Azores and in some places in off-shore Korea. The insurance companies will not undertake the risk and insure these individuals because there is no basis for establishing rates. Unless this statute is continued and compensation guaranteed, employee recruitment will be considerably hindered, especially in potentially hostile areas.

2 (b) (2) (H. Doc. 368, p. 28) (hearings, p. 92) (H. J. Res. 477, 1 (a) (17))

WHERE A GOVERNMENT EMPLOYEE SUFFERS DEATH OR DISABILITY AFTER CAPTURE OR DETENTION BY THE ENEMY, SUCH DISABILITY OR DEATH SHALL BE DEEMED TO HAVE RESULTED FROM PERFORMANCE OF DUTY (5 U. S. C. 801)

When Government employees suffer death or disability after *capture, detention, or other restraint by an enemy of the United States during the present war* such death or disability shall be deemed to have resulted from performance of duty.

The committee recommends the continuation of this provision, with clarification of its language to make clear its application to a period in which there is no declared state of war.

This item provides the presumption that disability or death resulted during the performance of duty for a Government employee who suffered death or disability after capture or detention by the enemy. The Bureau of Employees Compensation is now making payments to about 200 persons, the residue of 1,244 cases originally adjudged compensable under this act. While the failure to extend this section would not deprive any of the present beneficiaries from their compensation under this act, it was nevertheless pointed out that failure to extend it would seriously affect the ability to recruit people to serve in danger areas like Korea, Indochina and Western Germany. The risk exists now and stands in the way of recruitment and some protection is needed now against that risk.

2 (b) (3) (H. Doc. 368, p. 29) (hearings, p. 408) (H. J. Res. 477, 1 (a) (19))

SERVICE FLAGS AND LAPEL BUTTONS (36 U. S. C. 179-182)

The committee recommends the extension of this statute.

This statute authorizes the Secretary of War to approve service flags and lapel buttons to be displayed or worn by the family of persons serving in the Armed Forces during the current war. He may also license their manufacture. Penalties are provided for unauthorized manufacture and display.

2 (b) (4) (H. Doc. 368, p. 29)

GOLD-STAR LAPEL BUTTONS (36 U. S. C. 182a-182d)

This item was eliminated from the bill because the subject matter of this statute has already been enacted into permanent legislation. (See Public Law 121, 82d Cong., 2d sess.)

2 (b) (5) (H. Doc. 368, p. 29) (hearings, p. 177) (H. J. Res. 477, 1 (a) (20))

PREFERENCE OF VETERANS AND FAMILIES OF DECEASED SERVICEMEN FOR LOANS IN CONNECTION WITH IMPROVEMENT OF FARM HOUSES AND BUILDINGS (42 U. S. C. 1477)

As between applicants for loans or other financial assistance in connection with the improvement of farm housing and other farm buildings, preference shall be given to veterans and families of deceased servicemen. "Veteran" is defined as a *person who served in the land or naval forces of the United States during any war between the United States and any other nation and who shall have been discharged or released therefrom on conditions other than dishonorable*, and "deceased servicemen" as *persons who served in the land or naval forces of the United States during any war between the United States and any other nation and who died in service before the termination of such war*.

The committee recommends that this veterans' preference item be extended to those who serve after the end of the state of war.

This item relates to sections extending priority for veterans, their families, and survivors in connection with the improvement of farm houses and farm buildings. This program has been under way since 1946 when the Servicemen's Readjustment Act was amended. It authorizes loans to construct, repair and improve houses, and farm buildings. Under the act, however, certain Korean veterans would not be included if this section were not continued. In order to be eligible a veteran must satisfy the Department of Agriculture, that (1) he owns the farm (2) he is without sufficient funds to provide the necessary buildings, etc. on his own account and (3) he is unable to secure credit at such terms as he would be able to carry. Federal assistance, when approved, is negotiated through Farmers Loan Association.

2 (b) (6) (H. Doc. 368, p. 29) (hearings p. 237) (H. J. Res. 477, 1 (a) (21))

PREFERENCES FOR VETERANS FOR WHOM FEDERALLY OWNED HOUSING IS AVAILABLE UNDER THE PROVISIONS OF THE LANHAM ACT (42 U. S. C. 1573)

Veterans (for whom federally owned housing is available under the provisions of title V of the Lanham Act (42 U. S. C. 1571-1575) are defined as including persons who served in the military or naval forces of the United States *during the present war* and who have been discharged or released therefrom under conditions other than dishonorable. Preference in the occupation of housing is provided them and their families under this act.

The committee recommends that this veterans' preference be extended to those who serve after the end of the state of war.

This extends veterans' preference for federally owned housing under the Lanham Act. Under title V of that act, the accrual of the preference ends with the Japanese Peace Treaty. All World War II veterans and Korean veterans who were in service on April 28, 1952—the day the Japanese Peace Treaty was proclaimed—and their families

are entitled to the benefits under the present act. It would, as stated, exclude veterans who could not connect their service with the period of World War II so that anyone who came into the service subsequent to April 28, 1952, would have no entitlement to the Lanham Act housing.

Purely through an oversight this benefit was not included in Public Law 214, Eighty-second Congress, which granted Korean veterans preference under certain housing legislation.

The committee is of the opinion that veterans serving during present conditions are entitled to all the preferences in this respect that World War II veterans now enjoy, and since the Lanham project is to continue in operation under Public Law 214, it sees no reason why this provision should not be continued.

2 (b) (7). See item 1 (a) (24), supra

2 (b) (8). See item 1 (a) (24), supra

2 (b) (9) (H. Doc. 368, p.30) (hearings, p. 183) (H. J. Res. 477, 1 (a) (22))

ELIGIBILITY OF VETERANS FOR FARM LOANS AND MORTGAGE INSURANCE

(Bankhead-Jones Farm Tenant Act (U. S. C. 1001))

Veterans fulfilling certain requirements are eligible for loans and mortgage insurance in connection with the acquisition or improvement of farms and shall have preference over nonveterans. "*Veteran*" is defined as "*a person who served in the land or naval forces of the United States during any war between the United States and any other nation, and who shall have been discharged or released therefrom under conditions other than dishonorable.*"

The committee recommends that this section be extended to those who serve after the end of the state of war.

This item relates to the eligibility of veterans who are citizens, and their families, for farm loans and mortgage insurance. It enables such persons to acquire, repair and improve family-size farms or to refinance indebtedness on under-improved units, when loans are being made or insured by Department of Agriculture to improve such units, under the Bankhead-Jones Farm Tenant Act. The instant item relates specifically to family-type farms, and to those veterans who are farm tenants, share croppers, and owners of inadequate or under-improved farm units who obtain the major portion of their income from farming operations.

2 (b) (10) (H. Doc. 368, p. 30) (hearings, p. 141) (H. J. Res. 477, 1 (a) (28))

RIGHTS AND BENEFITS OF OFFICERS OF THE COAST AND GEODETIC SURVEY WHEN ASSIGNED WITH THE ARMED FORCES ON HAZAR- DOUS DUTY (33 U. S. C. 855A)

Commissioned officers of the Coast and Geodetic Survey who are *during the period of the present war* assigned to any duty with the Armed Forces which is determined by the Department of the Army or the

Department of the Navy to be of immediate military hazard, shall have the rights and benefits of officers actually transferred to such forces.

The committee recommends that this item be continued.

The benefits apply only to the officers or their survivors who are assigned to hazardous duties with the Armed Forces. The committee is of the opinion that the type of work done (in this case hazardous work) should be the controlling factor in determining rights and benefits rather than the particular branch of the uniformed service in which he is commissioned.

2 (b) (11) (H. Doc. 368, p. 31) (hearings, p. 204) (H. J. Res. 477, 1 (a) (32))

CLAIMS WHICH ARISE OUT OF COMBATANT ACTIVITIES OF THE ARMED FORCES DURING TIME OF WAR ARE EXCLUDED FROM ADMINISTRATIVE ADJUSTMENT UNDER THE TORT CLAIMS ACT AND FROM THE DISTRICT COURTS (28 U. S. C. 2680j)

This provision excludes from administrative adjustment under the Tort Claims Act, and from the jurisdiction of the district courts under title 28 United States Code section 1346 (b), "any claim arising out of *combatant activities* of the military or naval forces, or the Coast Guard, *during time of war.*" Another provision excludes any claim arising in a foreign country (28 U. S. C. 2680 (k)). There is, however, no provision expressly excluding a claim arising from combatant activities in the United States or its possessions when we are not at war.

The committee recommends the continuation of the wartime exclusionary provision.

This item deals with claims for damages caused by our own Armed Forces (not the enemy) arising out of combatant activity in the continental United States or its Territories. This statute excludes liability for such claims arising in time of war. In excluding such liability at other times, the committee does not intend to change the interpretation or construction heretofore placed on the provisions of this statute by the courts. It intends combatant activity to mean activities both necessary to and in connection with actual hostilities, viz damage arising out of an act of war.

2 (c). See item 1 (a) (24), *supra*

Sec. 3. (H. Doc. 368, p. 31) (hearings, p. 425) (H. J. Res. 477, sec. 3)

This section provides in substance that certain powers of the Air Force shall be extended by this bill in the same way that it extends powers of the Army. This section is included because of the so-called transfer order procedure under the National Security Act. That act provided that, for a certain period after its enactment, powers vested by statute in the Secretary of War or the Secretary of the Army could be made available also to the Secretary of the Air Force by a transfer order under the National Security Act. A number of these provisions, under which transfer orders have been issued, are extended by the present bill. The object of section 3 is to state explicitly that the powers under these provisions previously transferred to the Air

Force by transfer order are extended by the bill as fully as it extends the power of the Army under these provisions. This is a purely precautionary and clarifying provision, occasioned solely by the fact that certain statutory provisions to be extended by the bill refer only to the Secretary of War or the Secretary of the Army. It is considered that the legal result would be the same even in the absence of this provision.

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Section 4: This section was placed in the bill at the committee's direction and it provides that nothing in the instant bill shall be construed as repealing or modifying section 601 of Public Law 155, Eighty-second Congress, first session, which relates to the acquisition or disposal of real estate by the armed services. It has for its objective the keeping of control in the Congress of the United States, through its Armed Services Committees, over land acquisitions and disposals by the Department of Defense and the Civil Defense Administration. In this respect the congressional committees may scrutinize and make certain that new land acquisitions will be limited where possible and that existing and available facilities are utilized to the maximum extent. Under the public law only transactions involving in excess of \$25,000 need congressional approval. As a further check, however, that law provides that the departments must make quarterly reports to the respective committees of Congress on all pertinent transactions from \$5,000 to \$25,000.

Section 5: This section provides that in the event that any provision of this act is held invalid, the remaining provisions shall not be affected thereby.

Section 6: This section repeals Public Law 313, Eighty-second Congress, second session, (H. J. Res. 423) and Public Law 368, Eighty-second Congress, second session (S. J. Res. 156) which are interim measures extending the wartime effectiveness of the provisions of the instant Emergency Powers Continuation Act until June 15, 1952, in order to permit the Judiciary Committees of both the House and Senate to further consider the problem of extending its provisions.

Section 7: This section provides that the act shall take effect on June 15, 1952.

Section 8: This section provides that the act may be cited as Emergency Powers Continuation Act.

PROPOSED EMERGENCY POWERS EXTENSION ACT

SUBJECT MATTER CLASSIFICATION

This memorandum arranges according to subject matter the statutory provisions dealt with in the proposed Emergency Powers Continuation Act. The main categories used are the following:

1. Construction, procurement and sale.
2. Government personnel.
3. Compulsory service.
4. Claims and claims procedure.
5. Administrative procedures.
6. Security.
7. Housing.
8. Transportation and shipping.
9. Foreign relations.

Each statutory provision is briefly summarized under one (in one case two) of these categories. In the interest of brevity, the language limiting the authority to time of war or emergency is not summarized in most cases.

Construction, procurement and sale

Acquisition and operation by the Navy of buildings and facilities in the procurement or construction of items authorized in connection with the prosecution of the war, without specific project authorization. 1 (a) (1)

Inspection of plants and books of war contractors. 1 (a) (3)

TVA products may be sold for use abroad only to the United States or its allies in case of war. 1 (a) (2)

Authority for Secretary of War to provide installations for manufacturing of military equipment and for storage and shelter; to exchange equipment; and to operate or dispose of plants. 1 (a) (7)

Freedom from certain restrictions in construction and procurement of land for purposes of the Armed Forces. 1 (a) (8) part

Operating plantations abroad for supplying food to the Armed Forces. 1 (a) (11)

Payment (instead of gratuitous use) for use of wharves and landings under the control of the Territory of Hawaii. 1 (a) (23)

Adjustment of royalties for use of inventions in aid of prosecution of the war. 1 (a) (33)

Government personnel

Detailing Armed Forces personnel to VA. 1 (a) (5)

Soldiers' deposits—repayment before final discharge. 1 (a) (15)

Entertainment and instruction of Army and Air Force enlisted personnel. 1 (a) (8) part

Sales to civilians at naval stations and PX's within the United States when private services not available. 1 (a) (19)

Status, discipline, and benefits

Public Health Service—military status, military benefits and allowance for uniforms. 1 (a) (9)

Coast and Geodetic Survey—benefits for officers on duty with the Armed Forces in areas of immediate military hazard. 2 (b) (10)

Missing Persons Act. 1 (a) (12)

Injury or death from war-risk hazard—compensation (civil employees of United States or of contractors outside United States. 2 (b) (1)

Death or disability of United States employees after restraint by an enemy—deemed to result from performance of duty. 2 (b) (2)

Allowance for uniform—Army and Air Force. 1 (a) (13)

Voting by mail for Federal officials by members of the Armed Forces without poll-tax restrictions. 1 (a) (16)

Disbursing officers may cash checks and change money for Armed Forces personnel. 1 (a) (21)

Duty-free importation of personal and household effects of United States employees brought into the United States on Government orders. 1 (a) (22)

Suspension of the peacetime provision (inoperative administratively since September 1939) permitting enlisted personnel in the Army and Navy to purchase their discharge. 1 (b) (4) and (5)

Veterans' preferences (the bill provides that service during the emergency shall carry the same benefits as service during the war).

Protection from loss of rights under the public land laws for those serving in the armed forces of Allies. 1 (a) (24)

Preference for loans in connection with improvement of farm houses and buildings. 2 (b) (5)

Preference as to federally owned housing available under title V of the Lanham Act. 2 (b) (6)

Preference under the homestead and other land laws. 2 (b) (7)

Preference with respect to lands within the Boulder Canyon project. 2 (b) (8)

Preference as to farm loans and mortgage insurance. 2 (b) (9)

Appointment and use of Armed Services personnel—suspension of peacetime restrictions

Reserve officers may be appointed to the ranks higher than second lieutenant and without certain requirements as to previous service. 1 (b) (1)

Officers in active service may be detailed as ROTC instructors even though retired Army and Air Force personnel are available therefor as volunteers. 1 (b) (2) part

Officers of the Naval Reserve or Marine Corps Reserve may be employed on active duty, with or without their consent, even later than 7 years after their commissioning and for any purpose. 1 (b) (3)

Service flags and lapel buttons. 2 (b) (3)

Compulsory service

By discharged inductees. 1 (a) (6)

On active duty, by retired officers of the Public Health Service. 1 (a) (34)

By retired Army and Air Force personnel, as ROTC instructors. 1 (b) (2) part

On active duty of any kind, by aviation officers of the Naval Reserve or Marine Corps Reserve later than 7 years after their commissioning. 1 (b) (3) part

Authority to the President to continue the appointments of officers and warrant officers in the Army and Air Force, Reserve components, and the National Guard beyond statutory limit of 6 months after the end of the war and the 1939 and 1941 emergencies. 1 (c)

Claims and claims procedure

Composition of settlement commissions. 1 (a) (10)

Proposed extension until 1 year after the end of the war, as determined by the President for these purposes, of the time limits for the filing of claims (not otherwise barred) by members of the Armed Forces for loss of personal property incident to their service (1 (d)); and claims (not otherwise barred), arising after the outbreak of hostilities in Korea, for injury to person or property caused by noncombat activities of the Armed Forces (1 (e)).

Proposed barring of tort claims arising out of nonwartime (as well as wartime) combatant activities of the Armed Forces. 2 (b) (11)

Administrative procedures

Destruction of records situated abroad. 1 (a) (4)

Certification of pay and allowances of members of Armed Forces on officers' certificates without further evidence. 1 (a) (14)

Use by VA of its automobiles to transport employees when public transportation not available. 1 (a) (20)

Utilization of the American Red Cross in aid of the Armed Forces. 1 (a) (25)

*Security**Crimes:*

Photographing military installations regardless of intent. 1 (a) (17)

Delivering defense information with intent or reason to believe that it will be harmful to the United States or benefit a foreign nation (death or longer imprisonment in wartime). 1 (a) (31) (18 U. S. C. 794)

Gathering or publishing certain information with intent that it be communicated to the enemy—death in wartime, not a crime in peacetime. 1 (a) (31) (18 U. S. C. 794)

Injuring or damaging war materials or making defective war materials—greater penalties in wartime (30 years or \$10,000 or both) than peacetime (10 years or \$10,000 or both). 1 (a) (31) (18 U. S. C. 2153, 2154)

Spreading false reports, when the United States is at war, with intent to interfere with the operation or success of the Armed Forces or to promote the success of the enemy. 1 (a) (31) (18 U. S. C. 2388)

Entering and leaving the United States—Restrictions and prohibitions as to citizens and aliens. 1 (a) (32)

Housing

Authority to operate or reactivate existing Lanham Act housing projects and continuation of leases. 1 (a) (18)

Transportation and shipping

Priority for troops and materials of war in transportation in time of war or threatened war. 1 (a) (26)

Power of the President, in time of war, to assume control of transportation systems. 1 (a) (27)

Authority of the ICC, in time of war or threatened war, on certification by the President, to establish preferences and priorities in transportation, 1 (a) (28) and with respect to freight forwarders. 1 (a) (29)

Authority, until 6 months after termination of the present war, to purchase, charter, or requisition idle foreign merchant vessels in United States waters and to charter vessels without competitive bidding. 1 (a) (30)

Foreign relations

Neutrality Act—suspension of the prohibition on financial transactions by persons with foreign governments at war with each other. 1 (b) (6)

Emergency statutory provisions examined by executive agencies but not recommended for extension

Statutory provision, item number, citation, and digest	"Responsible agency" (italized) and "commenting agency"
Item 19. Act of Aug. 11, 1939, 15 U. S. C. 713a-6----- Authorizes sale by Commodity Credit Corporation of surplus commodities to foreign governments on condition that these governments do not dispose of these commodities for 5 years <i>"unless a war or emergency results in a serious interruption of normal supplies of such commodities."</i>	<i>Agriculture</i> , CEA, ESA, Mutual Security Adm., State.
Item 25a. First Deficiency Act of Apr. 1, 1944, ch. 152, 58 Stat. 157. Appropriates \$250,000 to Bureau of Reclamation for temporary weir on the Colorado River, to be expended <i>within 6 months after end of war.</i>	<i>Interior.</i>
Item 25b. Sec. 122b, 57 Stat. 569, 23 U. S. C. 13b----- Authorizes funds for roads and bridges which must be expended <i>within one year after termination of 1941 emergency.</i>	<i>Commerce.</i>
Item 44a. Act of June 16, 1938, 50 U. S. C. 93----- <i>During any war in which the United States is engaged</i> , the statutory limit on the educational orders for the manufacture of special munitions, etc., which may be awarded to any one factory is not operative.	<i>Defense</i> , Defense Production Authority.
Item 62b. Act of June 3, 1916, 10 U. S. C. 291d----- <i>"In time of peace"</i> 200 flying hours is required for pilot rating, including 75 hours solo.	<i>Defense</i> , G. A. O.
Item 66. Act of June 22, 1944. 50 U. S. C. App. 1591-98----- Provision for the temporary appointment of certain members of Army Nurse Corps, etc., as officers in the Army of the United States <i>during the present emergency.</i> Such temporary appointments are to continue <i>until 6 months after the present emergency.</i>	<i>Defense</i> , NSRB.
Item 70. Act of May 15, 1945; ch. 124, 59 Stat. 168; 10 U. S. C. 513 note. Authority of the President, without the consent of Congress, to appoint certain members of the Army of the United States to lower temporary grades, <i>until 6 months after the present war.</i>	<i>Defense.</i>
Item 70a. 10 U. S. C. 625----- <i>In time of peace</i> , only citizens and declarant aliens may be enlisted for first enlistment in the Army.	<i>Defense.</i>
Item 79. 10 U. S. C. 535 note----- Provision for detail of personnel of all component parts of the Army of the United States as students at educational institutions, industrial plants, etc., notwithstanding percentage personnel limitations of other laws, <i>until 6 months after the present war.</i>	<i>Defense</i> , FSA.
Item 82a. Uniform Code of Military Justice, sec. 10, 50 U. S. C. 739. Permits the President to dismiss officers <i>in time of war</i> without court-martial procedure.	<i>Defense</i> , Justice.
Item 82b. 14 U. S. C. 508 (b)----- Wartime deserter from the Coast Guard may not thereafter be received into any part of the Armed Forces unless he is restored to duty in time of war or his disability is removed by a special prescribed procedure thereunder.	<i>Treasury.</i> <i>Defense.</i>
Item 87. 10 U. S. C. 299e----- Authorization for appointment in the Air Corps Reserve of any person who has completed training and served <i>in time of war</i> as a commissioned or flight officer.	<i>Defense.</i>

Emergency statutory provisions examined by executive agencies but not recommended for extension—Continued

Statutory provision, item number, citation, and digest	"Responsible agency" (italicized) and "commenting agency"
Item 102b. 37 U. S. C. 235 (d), 236 (d)----- The President may <i>in time of war</i> suspend incentive pay for hazardous duty.	<i>Defense.</i>
Item 113. Acts of July 24, 1941, and Apr. 18, 1946, 34 U. S. C. 350 (i), 34 U. S. C. 15. Continuance <i>until 6 months after June 30 of fiscal year following end of present war</i> , of temporary status of Navy or Marine Corps personnel appointed or advanced under authority of act of July 24, 1941, and permanent appointment of Reserve and temporary officers to Regular Navy under act of Apr. 18, 1946.	<i>Defense.</i>
Item 113a. Act of Aug. 4, 1942, 34 U. S. C. 850i----- Certain conditions for employing naval aviation officers on active duty are imposed <i>during time of peace</i> .	<i>Defense.</i>
Item 113b. Officer Personnel Act of Aug. 7, 1947, 34 U. S. C. 306r. Continuation of temporary appointments of certain members of the Naval Reserve ordered to active duty in connection with training the Naval Reserve <i>until not later than 6 months after June 30 of the fiscal year following that in which the present war shall end</i> .	<i>Defense.</i>
Item 115. Act of May 25, 1943, 34 U. S. C. 338a----- Eligibility of commissioned warrant officers and warrant officers for commissioned rank in Navy, Marine Corps, and Coast Guard <i>until June 30 of the fiscal year following the termination of the present war</i> .	<i>Defense.</i>
Item 116. Act of Dec. 14, 1944, and Act of Mar. 23, 1946, 50 U. S. C. App. 1691-1697. Authorization for grades of Fleet Admiral of the Navy and of General of the Army <i>until 6 months after present war</i> .	<i>Defense.</i>
Item 116a. Officer Personnel Act of Aug. 7, 1947, 34 U. S. C. Supp. III 306 (m). No officer may continue to serve on active duty in the grade of commodore <i>later than 6 months after June 30 of the fiscal year following that in which the present war shall end</i> .	<i>Defense.</i>
Item 118. 50 U. S. C. App. 1711-1715----- Authority for grade and rank of general on active list of the Regular Marine Corps <i>until 6 months after present war</i> .	<i>Defense.</i>
Item 126. 34 U. S. C. 186, 201b----- In time of war the Secretary of the Navy may extend enlistment periods in the Regular Navy, Marine Corps, and Coast Guard <i>but for no more than 6 months after the termination of the conditions which originally authorized their detention</i> .	<i>Defense.</i>
Item 127a. 34 U. S. C. 853c----- Ordering Navy reservists to active duty in time of war or national emergency, for the duration.	<i>Defense.</i>
Item 131a. 34 U. S. C. 841a (in part)----- <i>In time of peace</i> Navy and Marine student aviation pilots may, with their consent, in the discretion of the Secretary of the Navy, serve for two more years on active duty.	<i>Defense.</i>

Emergency statutory provisions examined by executive agencies but not recommended for extension—Continued

Statutory provision, item number, citation, and digest	"Responsible agency" (italicized) and "commenting agency"
<p>Item 150a. Naval Reserve Act of June 25, 1938----- The following sections of this act become inoperative <i>in time of peace</i>: Discharge rights of members of Naval Reserve, 34 U. S. C. 853d. Service and employment rights of Fleet Reserve on active duty, 34 U. S. C. 854d. Rights of enlisted men transferred to Fleet Reserve after 16 years or more of service, 34 U. S. C. 854e. Disability and hospital benefits to personnel of Naval Reserve engaged in active duty for periods of 30 days or less prior to official termination of World War II, 34 U. S. C. 855e (fifth proviso). Appointment and commissioning of officers and Naval Reserve, 34 U. S. C. 855d; distribution, officers of Naval Reserve, 34 U. S. C. 855e. Training duty of members of Naval Reserve, 34 U. S. C. 855n. Composition of Naval Reserve Policy Board, 34 U. S. C. 855 (o).</p>	<p>Defense.</p>
<p>Item 150b. 34 U. S. C. 853c-1----- <i>During peacetime</i> officers of the Naval Reserve and Marine Corps may, with their consent, be employed on active duty.</p>	<p>Defense.</p>
<p>Item 161. 34 U. S. C. 600b----- Omission, <i>during any war</i>, of matter prejudicial to national security, from reports required to be made by the Secretary of the Navy to the Armed Services Committees of the House and Senate concerning the settlement of certain claims.</p>	<p>Defense, Justice.</p>
<p>Item 161a. Act of Oct. 20, 1951, sec. 4, Public Law 186, 82d Cong. This section permits, <i>during any war</i>, the omission of facts, the disclosure of which would be prejudicial to the national security, from reports required to be filed with the Armed Services Committees of Congress in connection with the settlement of maritime claims under this act.</p>	<p>Defense, Justice.</p>
<p>Item 168. 22 U. S. C. 412 note----- Authority for lease of ships, boats, barges, or floating drydocks of the Navy in accordance with Lend-Lease Act of Mar. 11, 1941 (55 Stat. 31) <i>for periods not beyond the termination of present wars</i>.</p>	<p>State, Defense, Commerce.</p>
<p>Item 182. Act of July 6, 1812; R. S. 1209, 10 U. S. C. 521- The President, <i>in time of war</i>, may confer by and with the advice and consent of the Senate brevet commissions upon Army officers for distinguished conduct and public service in the presence of the enemy.</p>	<p>Defense.</p>
<p>Item 205. Act of Oct. 6, 1945, 50 U. S. C. App. 1531-34-- Certain persons under 21 who have enlisted under act of June 1, 1945, without parents' or guardian's consent can be discharged from that portion of their enlistment which extends "beyond the duration of present wars and 6 months thereafter."</p>	<p>Defense.</p>

Emergency statutory provisions examined by executive agencies but not recommended for extension—Continued

Statutory provision, item number, citation, and digest	"Responsible agency" (italicized) and "commenting agency"
<p>Item 218. Act of July 2, 1926, 10 U. S. C. 291a and 291e... <i>In time of war a flying officer may include any officer who has received an aeronautical rating as a pilot of service types of aircraft and also, in time of war, may include any officer who has received an aeronautical rating as observer.</i></p>	<i>Defense.</i>
<p>Item 222. Act of June 30, 1942, ch. 462, sec. 3; 56 Stat. 464; 50 U. S. C. App. 808. <i>Modification of age limits for original appointments to commissioned rank in any staff corps of Navy until June 30 of the fiscal year following that in which the present war shall end.</i></p>	<i>Defense.</i>
<p>Item 230. Act of Aug. 24, 1912, 48 U. S. C. 1306... <i>Designation by the President of an officer of the Army to assume exclusive authority and jurisdiction over the operation of the Panama Canal "in time of war—or when, in the opinion of the President, war is imminent."</i></p>	<i>Defense, Canal Zone government.</i>
<p>Item 239. Small Business Mobilization Act of June 11, 1942, 50 U. S. C. App. 1101. <i>Grants authority to mobilize aggressively the productive capacity of all small business concerns "to augment war production."</i></p>	<i>Small Defense Plants Adm., Commerce, Defense, RFC.</i>
<p>Item 244. Act of Jan. 21, 1942, 42 U. S. C. 1544... <i>Authority of the HHFA under Lanham Act, sec. 304, during the emergency to adjust rents to the income of the person housed (amending act of Oct. 14, 1940 (54 Stat. 1127, sec. 4), as amended by act of June 28, 1941 (55 Stat. 363, sec. 4 (b)).</i></p>	<i>HHFA, Office of Rent Stabilization.</i>
<p>Item 308. Act of July 5, 1945, District of Columbia Code 3-108 note. <i>Appointment of retired officer as superintendent of Callinger Municipal Hospital and detail of commissioned officer of Public Health Service to act as superintendent of same, authorized "until 6 months after present war."</i></p>	<i>District of Columbia.</i>
<p>Item 319. Act of Oct. 21, 1942; 26 U. S. C. 22 and 127... <i>Losses due to property destroyed or seized in the course of military or naval operations or under enemy control in present war shall be allowed for in computing taxes.</i></p>	<i>CIA, Treasury.</i>
<p>Item 338. Act of Oct. 21, 1942; 26 U. S. C. 811 and 1000 note. <i>Provides that servicemen possessing a power of appointment created on or before Oct. 21, 1942, and remaining in such forces until the termination of the present war shall be considered under legal disability to release a power of appointment in connection with estate and gift taxes until 6 months after the termination of the present war.</i></p>	<i>Treasury, Defense.</i>
<p>Item 365a. Veterans Preference Act of June 27, 1944, 5 U. S. C. 851. <i>Provides that preference be given unmarried widows of deceased ex-servicemen, and ex-servicewomen, and widowed mothers in an unmarried status of deceased and permanently and totally disabled ex-servicemen or ex-servicewomen and other similar categories, where the servicemen served in active duty during any war.</i></p>	<i>CSC, VA, Defense, Justice.</i>

Emergency statutory provisions examined by executive agencies but not recommended for extension—Continued

Statutory provision, item number, citation, and digest	"Responsible agency" (italicized) and "commenting agency"
<p>Item 365b. Vocational Rehabilitation Act of June 2, 1920, secs. 2, 3, and 10, ch. 219; 41 Stat. 735, 736, 767, as amended, 29 U. S. C. 32 (a) (10), 33 (a) (1), and 40 (b).</p> <p>These sections authorize 100 percent Federal reimbursement to States for expenditures in vocational rehabilitation of war-disabled civilians disabled while serving prior to the termination of the war as declared by congressional resolution or Presidential proclamation.</p>	FSA, Defense, VA.
<p>Item 380. Lend Lease Act of Feb. 7, 1942; 22 U. S. C. 412 note.</p> <p>Authority of the President during the existing national (1941) emergency to permit the Secretary of the Navy to lease ships appropriated for in whole or in part in the Naval Appropriation Act or to dispose of defense articles procured from funds appropriated by this act to countries whose defense he deems vital to the defense of the United States.</p>	Defense, State.
<p>Item 418a. Merchant Ship Sales Act of Mar. 8, 1946; 50 U. S. C. App. 1742 (c) (3).</p> <p>Provides for compensation for use of vessels taken by the United States not to exceed 15 percent per year of the sales price and is applicable for the period prior to the termination of the existing 1941 emergency.</p>	Commerce, Justice.
<p>Item 428. 22 U. S. C. 412a</p> <p>Provides for the lease of certain merchant vessels under the Lend-Lease Act until 6 months after the present war.</p>	State, Commerce, Maritime Board.
<p>Item 439. 50 U. S. C. App. 1291 and 1295</p> <p>Extends to seamen employed through the War Shipping Administration and its successor (Maritime Administration) the rights of American seamen on private vessels, until 6 months after present war (during continuance of title I of the First War Powers Act).</p>	Commerce, Maritime Board.
<p>Item 443. 46 U. S. C. 85g (e)</p> <p>Concealing, removing, etc., marks placed on American vessels is not penalized if done to prevent "capture by an enemy."</p>	Defense, Commerce, State.
<p>Item 444. 46 U. S. C. 1304</p> <p>Under contracts for the carriage of goods by sea, neither the carrier nor the ship is to be liable for loss or damage arising or resulting from an "act of war" or "act of public enemies."</p>	Commerce, Treasury, State.
<p>Item 458. 50 U. S. C. App. 1721 and 1725</p> <p>Authority for grade and rank of admiral on the active list of the Regular Coast Guard until 6 months after the present war.</p>	Defense, Treasury.
<p>Item 458a. 14 U. S. C. 646 (b), 647 (b)</p> <p>The Secretary of the Treasury shall report to Congress, within 20 days, each settlement made by him of certain kinds of claims by or against the United States in connection with activities of the Coast Guard. During any war such reports may omit facts the disclosure of which would be prejudicial to the national security.</p>	Treasury, Defense.

Emergency statutory provisions examined by executive agencies but not recommended for extension—Continued

Statutory provision, item number, citation, and digest	"Responsible agency" (italicized) and "commenting agency"
<p>Item 462. Alien Enemy Act of 1798, 50 U. S. C. 21-24.</p> <p>Alien enemies can be controlled, interned, and removed from the country under this act whenever there is a <i>declared war or a threat of invasion of United States territory.</i></p>	<i>Justice, Defense.</i>
<p>Item 468a. Act of June 25, 1948, sec. 1, ch. 645; 62 Stat. 828; 18 U. S. C. 3287.</p> <p><i>When the United States is at war</i> the running of the statute of limitations as to certain offenses shall be suspended <i>until 3 years after the termination of hostilities.</i></p>	<i>Justice, GAO, Administrative Office of United States Courts.</i>
<p>Item 469. Act of Aug. 18, 1942; 56 Stat. 746-747 as amended; 34 U. S. C. 1159-1163.</p> <p>District courts are to have original jurisdiction of prizes captured by the United States "<i>during war</i>" and said courts may appoint special prize commissioners to exercise duties abroad; the War Shipping Administration may appropriate prize property for use of the United States; reciprocal privileges are to be accorded cobelligerents of the United States.</p>	<i>Justice, Commerce, Administrative Office of United States Courts, State, Defense.</i>
<p>Item 481. Nationality Act of Oct. 14, 1940; sec. 306, ch. 876; 54 Stat. 1141; 8 U. S. C., sec. 706.</p> <p>Any person who at any time during which the United States has been at war deserts the military or naval forces of the United States, or who leaves the jurisdiction of the United States in order to avoid being drafted into the military or naval service, becomes ineligible for citizenship, and such deserters are barred from holding any office of trust or profit or of exercising the rights of citizens.</p>	<i>Defense, Justice.</i>
<p>Item 481a. Act of Oct. 14, 1940, ch. 876, sec. 323; sec. 33 of 54 Stat. 1149; 8 U. S. C. 723.</p> <p>Provides for expeditious nationalization of former United States citizens who lose their United States citizenship because they served with the armed forces of a country at war with a country with which the <i>United States was or is at war.</i></p>	<i>Justice, Defense, State.</i>
<p>Item 481b. Act of Oct. 14, 1940, ch. 876, sec. 326; 54 Stat. 1150; 8 U. S. C. 726.</p> <p>Sets forth the special requirements for naturalization of any alien who is a <i>citizen of an enemy state.</i></p>	<i>Justice, Defense, State.</i>
<p>Item 481c. Act of Oct. 14, 1940, sec. 342; 8 U. S. C. 742i.</p> <p>Provides for waiver of certain fees in connection with naturalization of aliens in our Armed Forces <i>when the United States is at war.</i></p>	<i>Justice.</i>
<p>Item 481d. Act of Dec. 28, 1945, sec. 1 (c) (1), ch. 590; 59 Stat. 658; 50 U. S. C. App. 640.</p> <p>Aliens serving honorably in the Armed Forces during the present war may be naturalized under special requirements.</p>	<i>Justice, Defense, State.</i>
<p>Item 482. 8 U. S. C. 801g.-----</p> <p>Citizen loses nationality by desertion from Armed Forces in wartime.</p>	<i>Defense, Justice.</i>

Emergency statutory provisions examined by executive agencies but not recommended for extension—Continued

Statutory provision, item number, citation, and digest	"Responsible agency" (italicized) and "commenting agency"
<p>Item 483. Immigration Act of Feb. 5, 1917, as amended by the Internal Security Act of Sept. 23, 1950, 8 U. S. C. 156.</p> <p>This act sets forth the special territories to which an alien may be deported <i>if the United States is at war</i> and it is impractical or inconvenient to deport him because of enemy occupation of the country whence the alien came.</p>	<p><i>Justice, Defense, State.</i></p>
<p>Item 483a. Act of Aug. 19, 1950; ch. 759, 64 Stat. 759, 8 U. S. C. 239.</p> <p>The act authorized the admission of certain alien spouses and unmarried minor children of members of the Armed Forces <i>during World War II</i>.</p>	<p><i>Justice, Defense.</i></p>
<p>Item 503. Act of Oct. 6, 1917, 24 U. S. C. 192-----</p> <p>Interned persons and prisoners of war, under the jurisdiction of the War Department, are entitled to admission to St. Elizabeths Hospital for treatment.</p>	<p><i>Defense, FSA.</i></p>



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H. J. RES. 477

[Report No. 2041]

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 1952

Mr. CELLER introduced the following joint resolution; which was referred to the Committee on the Judiciary

JUNE 6, 1952

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

Whereas certain statutory provisions dependent upon the existence of a state of war and upon the national emergencies proclaimed in 1939 and 1941 were continued in effect until June 1, 1952, by Public Law 313, approved April 14, 1952, and were subsequently further continued in effect until June 15, 1952, by Public Law 368, approved May 28, 1952, in order to permit further consideration of a more extended continuation; and

Whereas the last of the states of war of World War II and the national emergencies proclaimed by the President in 1939 and 1941 were terminated on April 28, 1952; and

Whereas a more extended continuation of the statutory provisions herein dealt with is needed to insure the national

security and the capacity of the United States to support the efforts to establish and maintain world peace: Now, therefore, be it

1. *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 That notwithstanding the termination on April 28, 1952, of
 4 the existence of a state of war with Japan declared December
 5 8, 1941 (55 Stat. 795), and of the national emergencies
 6 proclaimed by the President on September 8, 1939 (Proc.
 7 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487,
 8 55 Stat. 1647), and notwithstanding any proclamation of
 9 peace with respect to such war—

10 (a) The following statutory provisions, and the authori-
 11 zations conferred and liabilities imposed thereby, in addition
 12 to coming into full force and effect in time of war or other-
 13 wise where their terms so provide, shall remain in full force
 14 and effect until six months after the termination of the national
 15 emergency proclaimed by the President on December 16,
 16 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or
 17 until such earlier date or dates as may be provided by the
 18 Congress by concurrent resolution either generally or for
 19 a particular statutory provision or by the President either
 20 generally by proclamation or for a particular statutory pro-
 21 vision, but in no event beyond June 30, 1953, notwithstand-
 22 ing any other terminal date or provision of law with respect

1 to such statutory provisions and notwithstanding any limita-
2 tion, by reference to war or national emergency, of the time
3 during or for which authorizations or liabilities thereunder
4 may be exercised or imposed; and acts or events of the kind
5 giving rise to legal consequences under any of those provi-
6 sions when performed or occurring during the state of war
7 which terminated on April 28, 1952, shall give rise to the
8 same legal consequences when they are performed or occur
9 during the period above provided for:

10 (1) Act of December 17, 1942 (ch. 739, sec. 1, 56
11 Stat. 1053), as amended (50 U. S. C. App. 1201); and,
12 effective for the period of time provided for in the opening
13 paragraph of this subsection, section 1 of said Act of Decem-
14 ber 17, 1942, is amended by inserting "or the maintenance
15 of the national defense" after "the prosecution of war".

16 (2) Act of March 27, 1942 (ch. 199, secs. 1301-1304,
17 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

18 (3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat.
19 382; 44 U. S. C. 376).

20 (4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1
21 (b), 54 Stat. 712, 713), as extended by sections 13 and
22 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50
23 U. S. C. App. 773, 1171, (a), 1171 (b)); and the authority
24 thereby granted to the Secretary of the Army is hereby con-
25 ferred on the Secretary of the Navy, to be exercised by him

1 on behalf of the Department of the Navy, using naval appro-
2 priations for the purpose.

3 (5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11,
4 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

5 (6) Act of January 2, 1942 (ch. 645, sec. 7), as
6 added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat.
7 67; 31 U. S. C. 224i).

8 (7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14,
9 and 15, 56 Stat. 143-147), as amended (50 U. S. C.
10 App. 1001-1012, 1014, and 1015), and as extended by
11 section 4 (e) of the Act of June 24, 1948 (ch. 625, 62
12 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the
13 period of time provided for in the opening paragraph of
14 this subsection, sections 2, 6, 9, 12, and 14 of said Act
15 of March 7, 1942, as they read immediately before the
16 enactment of Public Law 313, Eighty-second Congress,
17 are amended as follows, and, as so amended, are further
18 extended in accordance with section 4 (e) of said Act of
19 June 24, 1948:

20 (A) Section 2 (50 U. S. C. App. 1002) is amended
21 by deleting "interned in a neutral country, captured by an
22 enemy" and inserting in lieu thereof "interned in a foreign
23 country, captured by a hostile force".

24 (B) Section 6 (50 U. S. C. App. 1006) is amended
25 by deleting "in the hands of an enemy or is interned in a

1 neutral country” and inserting in lieu thereof “in the hands
2 of a hostile force or is interned in a foreign country”.

3 (C) Section 9 (50 U. S. C. App. 1009) is amended
4 by deleting “in the lands of an enemy” and inserting in
5 lieu thereof “in the hands of a hostile force” and by deleting
6 “such enemy” and inserting in lieu thereof “such hostile
7 force”.

8 (D) Section 12 (50 U. S. C. App. 1012) is amended
9 by deleting “interned in a neutral country, or captured by
10 the enemy” and inserting in lieu thereof “interned in a
11 foreign country, or captured by a hostile force”.

12 (E) Section 14 (50 U. S. C. App. 1014) is amended
13 to read as follows:

14 . “SEC. 14. The provisions of this Act applicable to per-
15 sons captured by a hostile force shall also apply to any person
16 beleaguered or besieged by a hostile force.”

17 (8) Act of December 4, 1942 (ch. 674, secs. 2, 3,
18 and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

19 (9) Act of October 26, 1942 (ch. 624, 56 Stat 987;
20 50 U. S. C. App. 836).

21 (10) Act of December 18, 1942 (ch. 765, 56 Stat.
22 1057; 10 U. S. C. 906 and note, 907 and note).

23 (11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-
24 391; 50 U. S. C. App. 781-785).

25 (12) Act of October 14, 1940 (ch. 862, 54 Stat.

1 1125), as amended, secs. 1, 202, 301, 401, 402, and
2 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571).

3 In view of the continuing existence of acute housing needs
4 occasioned by World War II, the emergency declared by
5 the President on September 8, 1939, shall, for the purpose
6 of continuing the use of property held under said Act of
7 October 14, 1940, continue to exist during the period of
8 time provided for in the opening paragraph of this sub-
9 section.

10 (13) Act of December 2, 1942 (ch. 668, titles I and
11 II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706,
12 1711-1717). Effective for the period of time provided for
13 in the opening paragraph of this subsection, the following
14 terms, as used in titles I and II of said Act of December 2,
15 1942, and the terms "allies" and "war effort", as used in
16 the statutory provisions referred to in section 101 (a) (1)
17 of said Act (42 U. S. C. 1701 (a) (1)), have the following
18 meanings: The term "enemy" means any nation, govern-
19 ment, or force engaged in armed conflict with the Armed
20 Forces of the United States or of any of its allies. The term
21 "allies" means any nation, government, or force partici-
22 pating with the United States in any armed conflict. The
23 terms "national war effort" and "war effort" include na-
24 tional defense. The term "war activities" includes activities
25 directly related to military operations.

1 (14) The paragraph designated “(2)” which was in-
2 serted into the Act of March 3, 1909 (ch. 255, 35 Stat.
3 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60;
4 34 U. S. C. 533).

5 (15) Act of October 25, 1943 (ch. 276, 57 Stat. 575),
6 as amended by section 2 of the Act of April 9, 1946 (ch.
7 121, 60 Stat. 87; 38 U. S. C. 11a note).

8 (16) Act of December 23, 1944 (ch. 716, 58 Stat.
9 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

10 (17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59
11 Stat. 505; 5 U. S. C. 801); and, effective for the period of
12 time provided for in the opening paragraph of this sub-
13 section, the term “enemy” as used in section 5 (b) of said
14 Act of July 28, 1945, means any nation, government, or
15 force engaged in armed conflict with the Armed Forces
16 of the United States or of any nation, government, or force
17 participating with the United States in any armed conflict.

18 (18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50
19 U. S. C. App. 801, 802).

20 (19) Act of October 17, 1942 (ch. 615, secs. 1-4,
21 56 Stat. 796; 36 U. S. C. 179-182).

22 (20) Act of July 15, 1949 (ch. 338, title V, sec.
23 507, 63 Stat. 436; 42 U. S. C. 1477).

24 (21) Act of October 14, 1940 (ch. 862, title V, sec.

1 503), as added by the Act of June 23, 1945 (ch. 192,
2 59 Stat. 260; 42 U. S. C. 1573).

3 (22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat.
4 522), as amended (7 U. S. C. 1001).

5 (23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37
6 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

7 (24) The eighth paragraph (designated "Military
8 traffic in time of war") of section 6 of the Act of February
9 4, 1887, chapter 104, as that section was amended by section
10 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586;
11 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

12 (25) Act of February 4, 1887 (ch. 104, sec. 1 (15)),
13 as enacted by Act of February 28, 1920 (ch. 91, sec. 402,
14 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

15 (26) Act of February 4, 1887 (ch. 104, sec. 420), as
16 added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284,
17 298; 49 U. S. C. 1020).

18 (27) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245),
19 as amended (50 U. S. C. App. 1271-1275).

20 (28) Act of December 3, 1942 (ch. 670, sec. 2, 56
21 Stat. 1038; 33 U. S. C. 855a).

22 (29) Title 18, United States Code, sections 794, 2153,
23 2154, and 2388. Effective in each case for the period of time
24 provided for in the opening paragraph of this subsection, title
25 18, United States Code, section 2151, is amended by insert-

1 ing "or defense activities" immediately before the period at
 2 the end of the definition of "war material" and said sections
 3 2153 and 2154 are amended by inserting the words "or
 4 defense activities" immediately after the words "carrying on
 5 the war" wherever they appear therein.

6 (30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as
 7 amended by the Act of June 21, 1941 (ch. 210, 55 Stat.
 8 252, 253; 22 U. S. C. 223-226b).

9 (31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013;
 10 35 U. S. C. 89 and note and 90-96); and, effective for the
 11 period of time provided for in the opening paragraph of this
 12 subsection, the terms "prosecution of the war" and "condi-
 13 tions of wartime production", as used in said Act of October
 14 31, 1942, include, respectively, prosecution of defense ac-
 15 tivities and conditions of production during the national
 16 emergency proclaimed by the President on December 16,
 17 1950.

18 (32) Title 28, United States Code, section 2680 (j).

19 (b) The following statutory provisions which are nor-
 20 mally operative in time of peace shall not be operative by
 21 reason of the termination of a state of war on April 28, 1952,
 22 but rather (in addition to being inoperative, in accordance
 23 with their terms, in time of war) shall continue to be inopera-
 24 tive until six months after the termination of the national
 25 emergency proclaimed by the President on December 16,

1 1950, or until such earlier date or dates as the Congress by
2 concurrent resolution or the President may provide either
3 generally or for a particular statutory provision, but in no
4 event beyond June 30, 1953, any other provision of law with
5 respect thereto to the contrary notwithstanding:

6 (1) Those portions of section 37 of the Act of June
7 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C.
8 353), which restrict the appointment of Reserve officers
9 in time of peace.

10 (2) The second sentence of section 40b of the Act
11 of June 3, 1916, as added by section 33 of the Act of
12 June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10
13 U. S. C. 386).

14 (3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat.
15 738; 34 U. S. C. 850i).

16 (4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat.
17 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

18 (5) Act of March 3, 1893 (ch. 212, 27 Stat. 717;
19 34 U. S. C. 196).

20 (6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat.
21 158; 10 U. S. C. 651).

22 (7) Joint resolution of November 4, 1939 (ch. 2,
23 sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

24 (c) The President is authorized to continue in effect
25 until and including June 30, 1953, all appointments as

1 officers and as warrant officers of the Army and of the Air
2 Force which under the following provisions of law would
3 terminate after April 27, 1952, and before June 30, 1953:

4 (1) Sections 37 and 38 of the Act of June 3, 1916
5 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C.
6 358, 32 U. S. C. 19), and section 127a of that Act as
7 added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785),
8 as amended (10 U. S. C. 513).

9 (2) Section 515 (e) of the Act of August 7, 1947
10 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

11 (3) Section 3 of the Act of August 21, 1941 (ch. 384,
12 55 Stat. 652), as amended (10 U. S. C. 591a).

13 SEC. 2. (a) Section 5 (m) of the Act of May 18,
14 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is
15 amended by inserting before the period at the end thereof
16 "or, until six months after the termination of the national
17 emergency proclaimed by the President on December 16,
18 1950, or until such earlier date or dates as the Congress
19 by concurrent resolution or the President may provide but
20 in no event after June 30, 1953, to nations associated with
21 the United States in defense activities".

22 (b) The second proviso of section 1 of the Act of May
23 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C.
24 222c), is amended to read: "*Provided*, That if such acci-
25 dent or incident occurs in time of war, or if war intervenes

1 within two years after its occurrence, any claim may, on
2 good cause shown, be presented within one year after peace
3 is established, but if such accident or incident occurs after
4 December 6, 1939, and before the termination of the na-
5 tional emergency proclaimed December 16, 1950, any claim
6 may, on good cause shown, be presented within one year
7 after the termination of that national emergency or June 30,
8 1953, whichever is earlier.”; and such section as so amended
9 shall apply to the Navy in accordance with section 2 of the
10 Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31
11 U. S. C. 222e).

12 (c) The second proviso of section 1 of the Act of
13 July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31
14 U. S. C. 223b), is amended to read: “*Provided*, That if
15 such accident or incident occurs in time of war, or if war
16 intervenes within one year after its occurrence, any claim
17 may, on good cause shown, be presented within one year
18 after peace is established, but if such accident or incident
19 occurs after June 23, 1950, and before the termination of
20 the national emergency proclaimed December 16, 1950, any
21 claim may, on good cause shown, be presented within one
22 year after the termination of that national emergency or

1 June 30, 1953, whichever is earlier.”; and such section as
2 so amended shall apply to the Navy in accordance with
3 section 1 of the Act of December 28, 1945 (ch. 597, 59
4 Stat. 662; 31 U. S. C. 223d).

5 SEC. 3. Authority now conferred upon the Secretary of
6 the Air Force under the statutory provisions cited in this
7 joint resolution is hereby extended to the same extent as
8 the authority of the Secretary of the Army thereunder.

9 SEC. 4. Nothing in this joint resolution shall be con-
10 strued to repeal or modify section 601 of Public Law 155,
11 Eighty-second Congress, first session, relative to coming into
12 agreement with the Committee on Armed Services of the
13 Senate and of the House of Representatives with respect to
14 real-estate actions by or for the use of the military depart-
15 ments or the Federal Civil Defense Administration.

16 SEC. 5. If any provision of this joint resolution, or the
17 application thereof to any person or circumstances, is held
18 invalid, the remaining provisions of this joint resolution,
19 or the application of such provision to other persons or
20 circumstances, shall not be affected thereby.

21 SEC. 6. Public Laws 313 and 368, Eighty-second Con-
22 gress, are repealed without effect upon rights accrued, lia-
23 bilities incurred, or actions taken thereunder.

1 SEC. 7. Sections 1 through 6 of this joint resolution
2 shall take effect June 16, 1952.

3 SEC. 8. This joint resolution may be cited as the "Emer-
4 gency Powers Continuation Act".

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

By Mr. Celler

JUNE 5, 1952

Referred to the Committee on the Judiciary

JUNE 6, 1952

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued June 10, 1952

For actions of June 9, 1952

32nd-2nd, No. 99

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: Senate adopted conference report on foreign-aid bill. Ready for President. Sen. Aiken claimed administration pushed down farm prices in 1948 for political purposes. House received conference report on immigration bill. House committee reported emergency-powers continuation bill. Rep. Cooley introduced bill continuing present parity formula for basics.

SUMMARY

1. **FOREIGN AID.** Agreed, 59-11, to the conference report on H. R. 7005, to extend the Mutual Security Act (pp. 6935-45, 6954-65). This bill will now be sent to the President.
2. **PRICE SUPPORTS.** Sen. Aiken claimed the administration pushed down the farm prices in 1948 for political purposes (pp. 6928-31).
3. **DEFENSE PRODUCTION.** Discussed S. 2594, to extend the Defense Production Act (pp. 6946-52). Formal debate is to be resumed today (p. 6945).
4. **REORGANIZATION.** Received from this Department a proposed bill to provide for an additional Assistant Secretary of Agriculture, an Administrative Assistant Secretary, a periodic review of management of the Department, and delegation of the Secretary's authority to other officials of the Department at his discretion; to Agriculture and Forestry Committee.
5. **TRANSPORTATION.** The Interstate and Foreign Commerce Committee reported without amendment S. Res. 332, authorizing this Committee to investigate the organization and operations of the Interstate Commerce Commission. To Rules and Administration Committee. (p. 6927.)
6. **AGRICULTURAL APPROPRIATION BILL, 1953.** The McKellar amendment to this bill would permit the use of 2½% of the ACP funds, allocated to any State, for determining the most needed conservation practices on individual farms. (The description of this amendment in Digest 98 was in error.)

HOUSE

7. **EMERGENCY POWERS.** The Judiciary Committee reported without amendment H. J. Res. 477, to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed Dec. 16, 1950, and 6 months thereafter, but not beyond June 30, 1953 (H. Rept. 2041) (p. 7044).
8. **IMMIGRATION.** Received the conference report on H. R. 5678, to revise the laws relating to immigration and naturalization (H. Rept. 2096) (pp. 6990-7030, 7040). Rep. Priest stated that this report is expected to be brought up on Tuesday (p. 7041).
9. **LAND EXCHANGE.** The Agriculture Committee reported without amendment H. R. 5055, authorizing the exchange of certain Federal lands situated in Ontonagon County, Mich., for lands within the Ottawa National Forest, Mich. (H. Rept. 2098) (p. 7044).
10. **SMALL BUSINESS.** Received a report of Select Committee on Small Business, "Problems of Small Business Under the Controlled Materials Plan--A Summary Report" (H. Rept. 2099) (p. 7044). The "Daily Digest" states that this report recommends indefinite continuation of controls on steel, aluminum, and copper (p. D558).
11. **ELECTRIFICATION.** Passed, 132-120, with amendment S. 97, to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River, Tenn. (pp. 7035-40).
12. **RECLAMATION.** The Subcommittee on Irrigation and Reclamation approved for reporting to the full Interior and Insular Affairs Committee H. R. 5604, to provide that the costs of certain functions served by reclamation projects shall be nonreimbursable under the Federal reclamation laws (p. D558).
13. **PRICE CONTROL.** Rep. Fisher urged that the Office of Price Stabilization be discontinued after June 30, and that the Wage Stabilization Board be abolished (p. 7041).

BILLS INTRODUCED

14. **PUBLIC LANDS.** S. 3302, by Sen. Johnson, Colo., to grant former owners a preference with respect to the purchase of certain real property acquired under the reclamation laws and no longer needed for the purpose for which it was acquired; to Government Operations Committee (p. 6927).
15. **HOUSING; VETERANS' BENEFITS.** S. 3307, by Sen. McNamara, to amend section 506 of the Servicemen's Readjustment Act of 1944, as amended; to Labor and Public Welfare Committee (p. 6927). Remarks of author (pp. 6936-7).
16. **PRICE SUPPORTS.** H. R. 8122, by Rep. Cooley, to continue the existing method of computing parity prices for basic agricultural commodities; to Agriculture Committee (p. 7045).
17. **TRANSPORTATION.** H. R. 8123, by Rep. Cresser, to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act; to Interstate and Foreign Commerce Committee (p. 7045).

CONSIDERATION OF HOUSE JOINT RESOLUTION 477

JUNE 10, 1952.—Referred to the House Calendar and ordered to be printed

Mr. LYLE, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 677]

The Committee on Rules, having had under consideration House Resolution 677, reports the same to the House with the recommendation that the resolution do pass.



House Calendar No. 176

82^D CONGRESS
2^D SESSION

H. RES. 677

[Report No. 2138]

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1952

Mr. LYLE, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That immediately upon the adoption of this
2 resolution it shall be in order to move that the House re-
3 solve itself into the Committee of the Whole House on the
4 State of the Union for the consideration of the joint resolu-
5 tion (H. J. Res. 477) to continue the effectiveness of
6 certain statutory provisions for the duration of the national
7 emergency proclaimed December 16, 1950, and six months
8 thereafter, but not beyond June 30, 1953. That after
9 general debate which shall be confined to the joint resolution
10 and continue not to exceed two hours, to be equally divided
11 and controlled by the chairman and ranking minority mem-
12 ber of the Committee on the Judiciary, the joint resolution

1 shall be read for amendment under the five-minute rule. At
2 the conclusion of the consideration of the joint resolution
3 for amendment, the Committee shall rise and report the
4 joint resolution to the House with such amendments as
5 may have been adopted and the previous question shall be
6 considered as ordered on the joint resolution and amend-
7 ments thereto to final passage without intervening motion
8 except one motion to recommit.

82ND CONGRESS
2^D SESSION

H. RES. 677

[Report No. 2138]

RESOLUTION

Providing for the consideration of H. J. Res. 477, to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

By Mr. LYLE

JUNE 10, 1952

Referred to the House Calendar and ordered to be printed

8. ROAD AUTHORIZATIONS. Received the conference report on this bill, H. R. 7340, authorizing appropriations for road construction in the fiscal years 1954 and 1955. The conferees agreed to authorize \$550,000,000 for 1954 and 1955, allotting 45% or \$247,500,000 of this amount for the Federal-aid primary system, 30% or \$165,000,000 for the Federal-aid secondary system, and 25% or \$137,500,000 for the primary system in urban areas. They also agreed to the House authorization for the Federal-aid highway system and the 2-year grace period for matching funds. They also agreed on a compromise figure of \$25,000,000 for each year for interstate highways. The conferees agreed to authorize \$22,500,000 for forest highways, and the House conferees accepted the \$22,500,000 for forest-development roads and trails contained in the Senate amendment with the understanding that not less than \$5,000,000 of this amount will be applied to timber-access roads. The House conferees agreed to a Senate amendment authorizing \$50,000,000, in lieu of the House authorization of \$12,000,000 for access roads to timber and mineral resources, to be applied to all types of defense access roads. The conferees agreed in a reduction from \$5,000,000 to \$2,500,000 for public lands roads (H. Rept. 2132) (p. 709-2). The "Daily Digest" states that the House will act on this report on Wed. (p. D564.)
 9. RECLAMATION. The Interior and Insular Affairs Committee ordered reported (but did not actually report) S. 2610, providing that excess-land provisions of Federal reclamation laws shall not apply to certain lands receiving water from the San Luis Valley project, Colo.; and S. 2646, to cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation (p. D565).
 0. ADMINISTRATIVE PROCEDURE. The Judiciary Committee reported with amendment S. 1770, to amend the Administrative Procedure Act and to eliminate certain exemptions therefrom (H. Rept. 2133) (p. 7121).
 1. LAND TRANSFER. The Agriculture Committee reported without amendment S. 1536, to stabilize the economy of New Mex. residents on the North Lobato and El Pueblo tracts and to transfer such lands to the Forest Service (H. Rept. 2134) (p. 7124).
 2. EMERGENCY POWERS. The Rules Committee reported a resolution providing for consideration of H. J. Res. 477, to continue certain emergency powers for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, through June 30, 1953 (pp. 7113, 7124). The "Daily Digest" states the House will consider this measure on Wed. (p. D564.)
 3. PERSONNEL. Received from the Civil Service Commission a draft of a bill "to amend the Classification Act of 1949, as amended"; to Post Office and Civil Service Committee (p. 7124).
 4. FOOD PRICES. Rep. Marshall inserted a St. Paul Pioneer Press article explaining that food costs have "more than tripled since prewar days" because of increases in farm prices and improvements in the amounts and kinds of food served (p. 7114).
- BILLS INTRODUCED**
5. EDUCATION. H. R. 8145, by Rep. Bailey, to improve and extend financial assistance for local educational agencies in areas affected by Federal activities; to Education and Labor Committee (p. 7125).
 6. TOBACCO. H. R. 8150, by Rep. Sesser, to provide price support for the 1952 crop of Maryland tobacco; to Agriculture Committee (p. 7125).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 11, 1952
For actions of June 10, 1952
32nd-2nd, No. 100

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HIGHLIGHTS: Senate debated defense production bill. House adopted conference report on immigration revision bill. House received conference report on road-authorization bill.

SENATE

1. DEFENSE PRODUCTION. Continued debate on S. 2594, to extend the Defense Production Act, considering amendments relating to the steel strike (p. 7053-56).
2. ELECTRIFICATION. Concurred in the House amendment to S. 97, authorizing the construction, operation, and maintenance of facilities for generating hydro-electric power at the Cheatham Dam, Tenn. (p. 7063). This bill will now be sent to the President.
3. RECLAMATION. The Interior and Insular Affairs Committee reported with amendments H. R. 2313, to authorize the Interior Department to construct, operate, and maintain the Colibran reclamation project, Colo. (S. Rept. 1719)(p. 7051).
4. PUERTO RICO. The Interior and Insular Affairs Committee reported with amendments S. J. Res. 151, approving the constitution of Puerto Rico (S. Rept. 1720)(p. 7051).
5. APPROPRIATIONS; CLAIMS. Received from the President a supplemental appropriation estimate to pay claims for damages, audited claims, and judgments against the Government; to Appropriations Committee (S. Doc. 144)(p. 7047).
6. PRICE MAINTENANCE. Sen. Morse inserted a Washington Post editorial criticizing the so-called fair trade bill (p. 7047-8).

HOUSE

7. IMMIGRATION. Adopted, 203-53, the conference report on H. R. 5675, to revise the immigration and naturalization laws (p. 7109-13).

82^D CONGRESS
2^D SESSION

H. J. RES. 477

IN THE SENATE OF THE UNITED STATES

JUNE 12 (legislative day, JUNE 10), 1952

Read twice and ordered to be placed on the calendar

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

Whereas certain statutory provisions dependent upon the existence of a state of war and upon the national emergencies proclaimed in 1939 and 1941 were continued in effect until June 1, 1952, by Public Law 313, approved April 14, 1952, and were subsequently further continued in effect until June 15, 1952, by Public Law 368, approved May 28, 1952, in order to permit further consideration of a more extended continuation; and

Whereas the last of the states of war of World War II and the national emergencies proclaimed by the President in 1939 and 1941 were terminated on April 28, 1952; and

Whereas a more extended continuation of the statutory provisions herein dealt with is needed to insure the national

security and the capacity of the United States to support the efforts to establish and maintain world peace: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That notwithstanding the termination on April 28, 1952, of
4 the existence of a state of war with Japan declared December
5 8, 1941 (55 Stat. 795), and of the national emergencies
6 proclaimed by the President on September 8, 1939 (Proc.
7 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487,
8 55 Stat. 1647), and notwithstanding any proclamation of
9 peace with respect to such war—

10 (a) The following statutory provisions, and the authori-
11 zations conferred and liabilities imposed thereby, in addition
12 to coming into full force and effect in time of war or other-
13 wise where their terms so provide, shall remain in full force
14 and effect until six months after the termination of the national
15 emergency proclaimed by the President on December 16,
16 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or
17 until such earlier date or dates as may be provided by the
18 Congress by concurrent resolution either generally or for
19 a particular statutory provision or by the President either
20 generally by proclamation or for a particular statutory pro-
21 vision, but in no event beyond June 30, 1953, notwithstand-
22 ing any other terminal date or provision of law with respect

1 to such statutory provisions and notwithstanding any limita-
2 tion, by reference to war or national emergency, of the time
3 during or for which authorizations or liabilities thereunder
4 may be exercised or imposed; and acts or events of the kind
5 giving rise to legal consequences under any of those provi-
6 sions when performed or occurring during the state of war
7 which terminated on April 28, 1952, shall give rise to the
8 same legal consequences when they are performed or occur
9 during the period above provided for:

10 (1) Act of December 17, 1942 (ch. 739, sec. 1, 56
11 Stat. 1053), as amended (50 U. S. C. App. 1201); and,
12 effective for the period of time provided for in the opening
13 paragraph of this subsection, section 1 of said Act of Decem-
14 ber 17, 1942, is amended by inserting "or the maintenance
15 of the national defense" after "the prosecution of war".

16 (2) Act of March 27, 1942 (ch. 199, secs. 1301-1304,
17 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

18 (3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat.
19 382; 44 U. S. C. 376).

20 (4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1
21 (b), 54 Stat. 712, 713), as extended by sections 13 and
22 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50
23 U. S. C. App. 773, 1171, (a), 1171 (b)); and the authority
24 thereby granted to the Secretary of the Army is hereby con-
25 ferred on the Secretary of the Navy, to be exercised by him

1 on behalf of the Department of the Navy, using naval appro-
2 priations for the purpose.

3 (5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11,
4 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

5 (6) Act of January 2, 1942 (ch. 645, sec. 7), as
6 added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat.
7 67; 31 U. S. C. 224i).

8 (7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14,
9 and 15, 56 Stat. 143-147), as amended (50 U. S. C.
10 App. 1001-1012, 1014, and 1015), and as extended by
11 section 4 (e) of the Act of June 24, 1948 (ch. 625, 62
12 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the
13 period of time provided for in the opening paragraph of
14 this subsection, sections 2, 6, 9, 12, and 14 of said Act
15 of March 7, 1942, as they read immediately before the
16 enactment of Public Law 313, Eighty-second Congress,
17 are amended as follows, and, as so amended, are further
18 extended in accordance with section 4 (e) of said Act of
19 June 24, 1948:

20 (A) Section 2 (50 U. S. C. App. 1002) is amended
21 by deleting "interned in a neutral country, captured by an
22 enemy" and inserting in lieu thereof "interned in a foreign
23 country, captured by a hostile force".

24 (B) Section 6 (50 U. S. C. App. 1006) is amended
25 by deleting "in the hands of an enemy or is interned in a

1 neutral country” and inserting in lieu thereof “in the hands
2 of a hostile force or is interned in a foreign country”.

3 (C) Section 9 (50 U. S. C. App. 1009) is amended
4 by deleting “in the lands of an enemy” and inserting in
5 lieu thereof “in the hands of a hostile force” and by deleting
6 “such enemy” and inserting in lieu thereof “such hostile
7 force”.

8 (D) Section 12 (50 U. S. C. App. 1012) is amended
9 by deleting “interned in a neutral country, or captured by
10 the enemy” and inserting in lieu thereof “interned in a
11 foreign country, or captured by a hostile force”.

12 (E) Section 14 (50 U. S. C. App. 1014) is amended
13 to read as follows:

14 “SEC. 14. The provisions of this Act applicable to per-
15 sons captured by a hostile force shall also apply to any person
16 beleaguered or besieged by a hostile force.”

17 (8) Act of December 4, 1942 (ch. 674, secs. 2, 3,
18 and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

19 (9) Act of October 26, 1942 (ch. 624, 56 Stat 987;
20 50 U. S. C. App. 836).

21 (10) Act of December 18, 1942 (ch. 765, 56 Stat.
22 1057; 10 U. S. C. 906 and note, 907 and note).

23 (11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-
24 391; 50 U. S. C. App. 781-785).

25 (12) Act of October 14, 1940 (ch. 862, 54 Stat.

1 1125), as amended, secs. 1, 202, 301, 401, 402, and
2 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571).
3 In view of the continuing existence of acute housing needs
4 occasioned by World War II, the emergency declared by
5 the President on September 8, 1939, shall, for the purpose
6 of continuing the use of property held under said Act of
7 October 14, 1940, continue to exist during the period of
8 time provided for in the opening paragraph of this sub-
9 section.

10 (13) Act of December 2, 1942 (ch. 668, titles I and
11 II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706,
12 1711-1717). Effective for the period of time provided for
13 in the opening paragraph of this subsection, the following
14 terms, as used in titles I and II of said Act of December 2,
15 1942, and the terms "allies" and "war effort", as used in
16 the statutory provisions referred to in section 101 (a) (1)
17 of said Act (42 U. S. C. 1701 (a) (1)), have the following
18 meanings: The term "enemy" means any nation, govern-
19 ment, or force engaged in armed conflict with the Armed
20 Forces of the United States or of any of its allies. The term
21 "allies" means any nation, government, or force partici-
22 pating with the United States in any armed conflict. The
23 terms "national war effort" and "war effort" include na-
24 tional defense. The term "war activities" includes activities
25 directly related to military operations.

1 (14) The paragraph designated “(2)” which was in-
2 serted into the Act of March 3, 1909 (ch. 255, 35 Stat.
3 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60;
4 34 U. S. C. 533).

5 (15) Act of October 25, 1943 (ch. 276, 57 Stat. 575),
6 as amended by section 2 of the Act of April 9, 1946 (ch.
7 121, 60 Stat. 87; 38 U. S. C. 11a note).

8 (16) Act of December 23, 1944 (ch. 716, 58 Stat.
9 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

10 (17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59
11 Stat. 505; 5 U. S. C. 801); and, effective for the period of
12 time provided for in the opening paragraph of this sub-
13 section, the term “enemy” as used in section 5 (b) of said
14 Act of July 28, 1945, means any nation, government, or
15 force engaged in armed conflict with the Armed Forces
16 of the United States or of any nation, government, or force
17 participating with the United States in any armed conflict.

18 (18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50
19 U. S. C. App. 801, 802).

20 (19) Act of October 17, 1942 (ch. 615, secs. 1-4,
21 56 Stat. 796; 36 U. S. C. 179-182).

22 (20) Act of July 15, 1949 (ch. 338, title V, sec.
23 507, 63 Stat. 436; 42 U. S. C. 1477).

24 (21) Act of October 14, 1940 (ch. 862, title V, sec.

1 503), as added by the Act of June 23, 1945 (ch. 192,
2 59 Stat. 260; 42 U. S. C. 1573).

3 (22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat.
4 522), as amended (7 U. S. C. 1001).

5 (23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37
6 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

7 (24) The eighth paragraph (designated "Military
8 traffic in time of war") of section 6 of the Act of February
9 4, 1887, chapter 104, as that section was amended by section
10 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586;
11 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

12 (25) Act of February 4, 1887 (ch. 104, sec. 1 (15)),
13 as enacted by Act of February 28, 1920 (ch. 91, sec. 402,
14 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

15 (26) Act of February 4, 1887 (ch. 104, sec. 420), as
16 added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284,
17 298; 49 U. S. C. 1020).

18 (27) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245),
19 as amended (50 U. S. C. App. 1271-1275).

20 (28) Act of December 3, 1942 (ch. 670, sec. 2, 56
21 Stat. 1038; 33 U. S. C. 855a).

22 (29) Title 18, United States Code, sections 794, 2153,
23 2154, and 2388. Effective in each case for the period of time
24 provided for in the opening paragraph of this subsection, title
25 18, United States Code, section 2151, is amended by insert-

ing "or defense activities" immediately before the period at the end of the definition of "war material" and said sections 2153 and 2154 are amended by inserting the words "or defense activities" immediately after the words "carrying on the war" wherever they appear therein.

(30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the Act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223-226b).

(31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90-96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms "prosecution of the war" and "conditions of wartime production", as used in said Act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.

(32) Title 28, United States Code, section 2680 (j).

(b) The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16,

1 1950, or until such earlier date or dates as the Congress by
2 concurrent resolution or the President may provide either
3 generally or for a particular statutory provision, but in no
4 event beyond June 30, 1953, any other provision of law with
5 respect thereto to the contrary notwithstanding:

6 (1) Those portions of section 37 of the Act of June
7 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C.
8 353), which restrict the appointment of Reserve officers
9 in time of peace.

10 (2) The second sentence of section 40b of the Act
11 of June 3, 1916, as added by section 33 of the Act of
12 June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10
13 U. S. C. 386).

14 (3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat.
15 738; 34 U. S. C. 850i).

16 (4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat.
17 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

18 (5) Act of March 3, 1893 (ch. 212, 27 Stat. 717;
19 34 U. S. C. 196).

20 (6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat.
21 158; 10 U. S. C. 651).

22 (7) Joint resolution of November 4, 1939 (ch. 2,
23 sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

24 (c) The President is authorized to continue in effect
25 until and including June 30, 1953, all appointments as

1 officers and as warrant officers of the Army and of the Air
2 Force which under the following provisions of law would
3 terminate after April 27, 1952, and before June 30, 1953:

4 (1) Sections 37 and 38 of the Act of June 3, 1916
5 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C.
6 358, 32 U. S. C. 19), and section 127a of that Act as
7 added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785),
8 as amended (10 U. S. C. 513).

9 (2) Section 515 (e) of the Act of August 7, 1947
10 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

11 (3) Section 3 of the Act of August 21, 1941 (ch. 384,
12 55 Stat. 652), as amended (10 U. S. C. 591a).

13 SEC. 2. (a) Section 5 (m) of the Act of May 18,
14 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is
15 amended by inserting before the period at the end thereof
16 "or, until six months after the termination of the national
17 emergency proclaimed by the President on December 16,
18 1950, or until such earlier date or dates as the Congress
19 by concurrent resolution or the President may provide but
20 in no event after June 30, 1953, to nations associated with
21 the United States in defense activities".

22 (b) The second proviso of section 1 of the Act of May
23 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C.
24 222c), is amended to read: "*Provided*, That if such acci-
25 dent or incident occurs in time of war, or if war intervenes

1 within two years after its occurrence, any claim may, on
2 good cause shown, be presented within one year after peace
3 is established, but if such accident or incident occurs after
4 December 6, 1939, and before the termination of the na-
5 tional emergency proclaimed December 16, 1950, any claim
6 may, on good cause shown, be presented within one year
7 after the termination of that national emergency or June 30,
8 1953, whichever is earlier.”; and such section as so amended
9 shall apply to the Navy in accordance with section 2 of the
10 Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31
11 U. S. C. 222e).

12 (c) The second proviso of section 1 of the Act of
13 July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31
14 U. S. C. 223b), is amended to read: “*Provided*, That if
15 such accident or incident occurs in time of war, or if war
16 intervenes within one year after its occurrence, any claim
17 may, on good cause shown, be presented within one year
18 after peace is established, but if such accident or incident
19 occurs after June 23, 1950, and before the termination of
20 the national emergency proclaimed December 16, 1950, any
21 claim may, on good cause shown, be presented within one
22 year after the termination of that national emergency or

1 June 30, 1953, whichever is earlier.”; and such section as
2 so amended shall apply to the Navy in accordance with
3 section 1 of the Act of December 28, 1945 (ch. 597, 59
4 Stat. 662; 31 U. S. C. 223d).

5 SEC. 3. Authority now conferred upon the Secretary of
6 the Air Force under the statutory provisions cited in this
7 joint resolution is hereby extended to the same extent as
8 the authority of the Secretary of the Army thereunder.

9 SEC. 4. Nothing in this joint resolution shall be con-
10 strued to repeal or modify section 601 of Public Law 155,
11 Eighty-second Congress, first session, relative to coming into
12 agreement with the Committee on Armed Services of the
13 Senate and of the House of Representatives with respect to
14 real-estate actions by or for the use of the military depart-
15 ments or the Federal Civil Defense Administration.

16 SEC. 5. If any provision of this joint resolution, or the
17 application thereof to any person or circumstances, is held
18 invalid, the remaining provisions of this joint resolution,
19 or the application of such provision to other persons or
20 circumstances, shall not be affected thereby.

21 SEC. 6. Public Laws 313 and 368, Eighty-second Con-
22 gress, are repealed without effect upon rights accrued, lia-
23 bilities incurred, or actions taken thereunder.

1 SEC. 7. Sections 1 through 6 of this joint resolution
2 shall take effect June 16, 1952.

3 SEC. 8. This joint resolution may be cited as the “Emer-
4 gency Powers Continuation Act”.

Passed the House of Representatives June 11, 1952.

Attest: RALPH R. ROBERTS,
Clerk.

82ND CONGRESS
2^D SESSION

H. J. RES. 477

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953.

JUNE 12 (legislative day, JUNE 10), 1952

Read twice and ordered to be placed on the calendar

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued June 12, 1952

For actions of June 11, 1952

82nd-2nd, No. 101

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: Both Houses agreed to conference report on road authorization bill. Ready for President. House Banking Committee voted to include in defense production bill a provision for 90% supports on basics. House passed measure continuing various emergency powers 1 year. Senate agreed to conference report on immigration revision bill. Ready for President. Senate debated defense production bill. Senate committee voted to reopen CCC grain-storage hearings and to report Duggan nomination to FCA. Sen. Ellender introduced bill for additional Assistant Secretary and Administrative Assistant Secretary of USDA. Rep. Cooley introduced bill to adjust burley tobacco allotments.

SENATE

- 1. ROAD AUTHORIZATIONS.** Both Houses agreed to the conference report on H. R. 7340, to authorize road appropriations for the fiscal years 1954 and 1955, including forest highways and forest roads and trails (pp. 7127, 7129-32, 7171-2, 7183-91). This bill will now be sent to the President.
- 2. IMMIGRATION.** Agreed to the conference report on H. R. 5678, to revise the immigration and naturalization laws (pp. 7163-6). This bill will now be sent to the President.
- 3. DEFENSE PRODUCTION.** Continued debate on S. 2594, to extend and amend the Defense Production Act (pp. 7155-63, 7166-83, 7191-7). Agreed to a Williams amendment providing that, when price control is imposed on an agricultural commodity at the farm level, OPS must impose margin controls on handlers of the commodity, at not more than their normal margins (pp. 7161-3). Agreed, 46-31, to a Fulbright amendment designed to permit continuation of the allocation of materials through the International Materials Conference (pp. 7166-81). Rejected, 33-37, a Schoepel amendment requiring that each regulation and order on prices and wages shall be generally fair and equitable and permitting protests on ceilings on agricultural commodities (pp. 7191-5).
- 4. NOMINATION.** The Agriculture and Forestry Committee reported favorably the nomination of Ivy M. Duggan to be FCA Governor (p. 7154).

5. **EMERGENCY POWERS.** The Judiciary Committee reported without amendment S. J. Res. 164, to continue certain emergency powers through June 1952 (S. Rept. 1737)(pp. 7153-4).
6. **LAND TRANSFER.** The Government Operations Committee reported without amendment S. 3052, to authorize certain land and other property transactions, including transfer to the Navy of a tract at Oceanside, San Diego, Calif., which was part of the land used by USDA for an emergency rubber project (S. Rept. 1731)(p. 7153).
7. **TERRITORY.** The Interior and Insular Affairs Committee reported with amendment S. J. Res. 149, to provide for continuance of civil government for the Trust Territory of the Pacific Islands (S. Rept. 1739)(p. 7153).
8. **FOREIGN AID.** Sen. Watkins inserted the report to the President from the International Development Advisory Board, which was asked to study the Point 4 program (pp. 7197-8).
9. **GRAIN-STORAGE INVESTIGATION.** The Agriculture and Forestry Committee voted to reopen the hearings on CCC grain storage, beginning June 18 (p. 1570).
10. **FARM PROGRAM.** Sen. Ken inserted his letter to Secretary Brannan asking the Secretary to either prove that the Senator has voted against farm legislation or else withdraw the charge that he has done so (p. 7155).

HOUSE

11. **EMERGENCY POWERS.** Passed, 284-69, without amendment H. J. Res. 477, to continue certain statutory provisions for the duration of the national emergency proclaimed Dec. 16, 1950, and 6 months thereafter, but not beyond June 30, 1953. This measure continues 48 of the 60 statutory provisions requested by the President. (pp. 7132-44.)
12. **DEFENSE PRODUCTION; PARITY PROGRAM.** The "Daily Digest" states that the Banking and Currency Committee voted to extend the Defense Production Act for 1 year, until June 30, 1953, approving extension of wage, rent, and price controls, and eliminating credit controls (regulations W and X). It also adopted the Rains amendment providing for price support at 90% of parity for basic commodities while title IV of IPA is in effect. (p. 1573.)
13. **PROCLAMATION.** The Interior and Insular Affairs Committee reported without amendment S. 2610, providing that excess-land provisions of the Federal reclamation laws shall not apply to certain lands that will receive a supplemental or regulated water supply from the San Luis Valley project, Colo. (H. Rept. 2145) (p. 7150).
14. **TRANSPORTATION.** The Merchant Marine and Fisheries Committee reported with amendment H. R. 5803, to prevent the shipment in interstate commerce of illegal undersized fish (H. Rept. 2143) (p. 7150).
15. **IRRIGATION.** The Interior and Insular Affairs Committee reported with amendment H. R. 6723, approving contracts with the Gering and Fort Laramie, the Goshen, and the Pathfinder irrigation districts; and to authorize execution of contracts with individual water right contractors on the North Platte Federal reclamation project and with the Northport irrigation district (H. Rept. 2150) (p. 7150).
Concurred in the Senate amendment on H. R. 5633, to approve a contract with the Owyhee Federal project irrigation districts (pp. 7128-9). This bill will now be sent to the President.

Mr. DONDERO. I yield.

Mr. CUNNINGHAM. The conference report does not in any way reduce the amount as fixed by the House for farm to market roads in urban areas; does it?

Mr. DONDERO. It does not.

Mr. HARRISON of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. HARRISON of Nebraska. I want to ask a question relative to the moneys to be allotted to each State in the event that the State should have snowstorms, or some other sort of emergency condition, to the extent that the State would not be able to match the Federal funds. Would they lose their funds under this bill?

Mr. DONDERO. I think that is held over so that they would not lose it immediately, however, I think they would have to act within a reasonable time, although I cannot tell the gentleman just what the length of time is.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. MCGREGOR. We have set up in the bill \$10,000,000 for an emergency fund, and in addition they have 2 years in which they can avail themselves of the matching opportunities.

Mr. DONDERO. That is correct.

Mr. HARRISON of Nebraska. If they do not take advantage of it in 2 years, then they can avail themselves of the \$10,000,000 in the emergency fund?

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. ANGELL. It is true, is it not that the conference report recognizes that there is almost complete agreement between the Senate conferees and the House conferees with reference to the three main categories of roads provided for in the bill?

Mr. DONDERO. That is correct, and that is not changed.

Mr. ANGELL. That is not changed, and the allotments are not changed, nor is the rule changed.

Mr. DONDERO. Nor the amount of money so far as the three original categories for roads is concerned.

Mr. ANGELL. It is also true, is it not, that a considerable portion of the increase suggested by the other body is due to the national defense effort?

Mr. DONDERO. That is correct. The \$50,000,000 which they added, and which was not in the House bill, when it left this Chamber, is due to that.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. MCGREGOR. Is this statement not correct? That this legislation does not satisfy all groups, nor does it satisfy all the conferees. But, it is a matter of negotiation, and shall we say of agreement, and it is a give and take program so that we can get something back to the Congress and pass it prior to June 30, which is the date covered by the appropriation bill?

Mr. DONDERO. That is correct.

Mr. MCGREGOR. It is really a compromise, and the conference report was

signed by all members of the conference committee of the House and Senate.

Mr. DONDERO. That is correct, a few of the items were the subject of compromise.

Mr. FALLON. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN.]

[Mr. RANKIN addressed the House. His remarks will appear hereafter in the Appendix.]

(Mr. RANKIN asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. FALLON. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, this conference report is 95 percent good.

When the President of the United States in January came before the Congress with his budget message, he requested that the Congress authorize only \$400,000,000 for the construction of roads during each of the next 2 years. That would be 20 percent less than the amount authorized during each of the seven preceding years.

This conference report allows \$550,000,000 per year. This does not necessarily mean that we are going to build more roads in the United States than we have been building, because highway construction costs, according to the Bureau of Roads have increased 150 percent since 1946. In other words, \$550,000,000 during each of the next 2 years will not build any more roads than \$400,000,000 would have built in the years 1945 and 1946.

On the whole, this is a good bill. I am disappointed, however, that the House conferees did not see fit to delete the appropriation for the construction of the Rama Road in Nicaragua. We are already engaged in the building of a \$15,000,000 or \$20,000,000 stretch of road in Nicaragua from the northern boundary to the southern boundary of that country and this road is a link in the Inter-American Highway. The Senate in its wisdom rejected the whole proposition that we should appropriate money for the Rama Road, and I think very properly so.

The Rama Road absurdity arose out of three letters. On May 22, 1939, President Somoza, of Nicaragua, sent a letter to Franklin Roosevelt, the President of the United States, in which he said that he wondered if the United States would assist Nicaragua in the building of a small, shallow-draft canal from the ocean into the interior of Nicaragua. President Somoza asked specifically that the United States Army Engineers be directed to survey the route of this canal to see whether the project were feasible.

The second letter was President Roosevelt's letter saying that he would make the survey for the proposed Nicaragua canal and without cost to Nicaragua.

Then there came into existence the third letter. The engineers reported that the canal was not feasible. Then the State Department wrote a letter to President Somoza, of Nicaragua, saying

that inasmuch as the United States was not going to build this canal, a very small shallow-draft canal for barges and small boats into the interior of Nicaragua, that the United States would give Nicaragua a road. President Somoza had asked for a survey. He received a survey, and then the State Department by letter authorized the building of a road into the interior of Nicaragua.

My position is that I think it is a mistake for the Congress to permit the Secretary of State or any other executive official of the Government to authorize projects by the mere process of letter-writing. I feel that the Congress should disapprove of that sort of procedure. I regret the Rama Road has been left in the bill by the conferees.

(Mr. MACK of Washington asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. SCUDDER].

(Mr. SCUDDER asked and was given permission to revise and extend his remarks.)

Mr. SCUDDER. Mr. Speaker, I rise in support of H. R. 7340, the Federal aid to highways bill, which was under consideration for several months by the Public Works Committee.

The bill as first introduced called for an authorization of \$400,000,000 a year for the next 2 years, which was \$100,000,000 less per year than had been authorized 2 years previously. Extensive hearings were held, and it was developed beyond a shadow of doubt that the highways of our country were in need of much greater assistance than had been previously given. The information the committee had, was that the Federal Government would collect during the coming fiscal year about \$800,000,000 from Federal gas tax. It was felt that the very least that we could do in support of our highways was to provide as much money as had been granted 2 years ago, and, in order to make up for some of the increased cost, to add 10 percent; therefore, this bill carries an authorization for \$550,000,000 per year for the ensuing 2 years.

We also provided that this money should be allocated in accordance with the formula which had been in effect for many years. Realizing the necessity for forest highways and roads and trails, these amounts were increased accordingly. Special provision has been made to increase the funds for access roads to military installations and also has been provided for the construction and improvement of roads and trails in our national forests and parks.

There has also been earmarked moneys for the access roads, to develop timber and mineral resources, which I am sure, will be highly beneficial in the harvesting of timber, particularly where overripe and inaccessible stands are located, besides the developing of many of our mineral resources.

The versions of the two bodies have been well coordinated in the development of this report, and I fully support the conference report.

Mr. FALLON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to. A motion to reconsider was laid on the table.

EMERGENCY POWERS CONTINUATION ACT

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 677 and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953. That after general debate which shall be confined to the joint resolution and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. LYLE. Mr. Speaker, this resolution makes in order consideration of House Joint Resolution 477 reported by the Committee on the Judiciary. The purpose of the House joint resolution is to extend some 48 powers which are now exercised by the President of the United States, called emergency war powers.

The report filed by the committee, in my judgment, is the best done of any report that has come to my hands from any committee of the House. I want to commend the committee for the excellent manner in which it has presented this subject matter.

Starting on page 6 of the report there are set out all of the provisions which it is sought to extend. They are discussed in a very brief but excellent manner and reasons are given why they should be extended.

There are one or two of these powers which the bill seeks to extend upon which I am sure there must be some controversy. Particularly I call attention to that provision which seeks to extend the liability of inductees to serve in the reserve components and to be ordered to active duty in time of war. I am sure there will be some controversy about that.

The rule provides for 2 hours of general debate on the bill, after which the bill will be read for amendment.

There is one quite interesting provision in this bill to which I would like

to call attention, and it may be that it will set a pattern for the consideration of other items that will soon be before this body. I read from the report:

Another problem which was of considerable concern is item 1 (a) (27) which empowers the President in time of war to seize the transportation systems of the country. It was under this authority that the President took possession of certain railroad lines in 1950, control of which he released only a few days ago. When Congress enacted the basic law back in 1916, empowering the President to seize the transportation industry, it intended that he should exercise this tremendous grant of power in time of war only. It is the considered opinion of the committee that Congress should be cautious and slow in extending this tremendous grant of power in the Executive to a period where there is no state of actual declared war. Therefore, it has omitted this item 1 (a) (27) from the bill.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, in view of the fact that we have no representative of the Rules Committee on our side, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 101]

Aandahl	Flood	Morris
Abernethy	Frazier	Morrison
Adair	Fulton	Morton
Albert	Gamble	Nelson
Allen, Ill.	Gore	O'Neill
Anfuso	Hall	Osmer
Bates, Ky.	Edwin Arthur	O'Toole
Beckworth	Hall	Potter
Belcher	Leonard W.	Powell
Bender	Halleck	Rabaut
Blackney	Harden	Reece, Tenn.
Brehm	Harvey	Reed, Ill.
Brooks	Hébert	Richards
Brown, Ohio	Hedrick	Riehman
Buckley	Heffernan	Rooney
Burdick	Herter	Ross
Butler	Jarman	Sabath
Carlyle	Johnson	Short
Carnahan	Kennedy	Spence
Coudert	Kerr	Stanley
Crawford	Klein	Stigler
Dawson	Lesinski	Stockman
Dolliver	McMillan	Sutton
Donovan	Mansfield	Tackett
Ellsworth	Morrow	Thomas
Elston	Miller, Calif.	Vinson
Fenton	Morano	Welch
Fine	Morgan	Williams, Miss.

The SPEAKER pro tempore. Three hundred and forty-three Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

EMERGENCY POWERS CONTINUATION ACT

The SPEAKER pro tempore. The gentleman from Texas [Mr. LYLE] is recognized.

Mr. LYLE. Mr. Speaker, as I stated a moment ago there will unquestionably be controversial matters in the bill to be considered when it is read for amend-

ment, but I am quite certain there will be no controversy about the adoption of the rule or the consideration of the bill. The rule provides for 2 hours of general debate and that amendments may be offered to any provision of the bill.

Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. LATHAM].

Mr. LATHAM. Mr. Speaker, as the gentleman from Texas has so ably stated, this is an extension of the emergency powers of the President. There are some sixty-odd provisions in the bill. I believe there are some differences of opinion with regard to certain of these provisions, and under this open rule amendments will be offered. I know of no objection, however, to the consideration or adoption of the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. LYLE. Mr. Speaker, I yield 11 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

TIDELANDS

Mr. POAGE. Mr. Speaker, the Washington Post, in an editorial printed yesterday morning, attempted to discredit the effort of the Congress to return the title to submerged lands within State boundaries by stating that the States never had title to these lands. To make its point the Post makes the utterly unfounded statement that "the resolution adopted by Congress and vetoed a fortnight ago by the President had nothing to do, in point of fact, with lands within State boundaries."

Since this statement is so typical of the deliberate misrepresentation which has characterized the entire effort to grab these lands for the benefit of a bunch of claim-jumpers, I want to analyze it. It shall confine my statements to the State of Texas. Other facts substantiate the rights of other States but I shall presume to speak only for Texas.

Before I go into the historic facts let me explain my statement that the effort to take these lands from the States was primarily for the benefit of a bunch of claim-jumpers. By "claim-jumping" I mean those private groups and individuals who have filed on lands already leased to private interests. These speculators have been locating old Government script on the already developed offshore oil fields, particularly in California. They hope to reap billions where someone else has sowed. If successful they will get seven barrels of oil for every one which goes to the Federal Government. They are in fact the oil lobby which should excite the fears of the Post and of all honest Americans, but strangely enough these are the people who are turning up with connections in the strangest places.

But back to the question of ownership within State boundaries, the Post says:

Texas enjoyed such rights and dominion during the decade of her independence but relinquished them upon relinquishing her

national sovereignty when she joined the United States.

What historical fact, if any, justifies such a statement? Even Justice Douglas agreed in his opinion that the Republic of Texas owned these lands.

There may be some question as to just how far State boundaries extend in some cases, but in the case of Texas the boundaries of the Republic of Texas were clearly fixed at a point 3 leagues, not 3 miles, but 3 leagues—about 10½ miles—seaward. That the United States recognized these boundaries was positively stated by three Presidents of the United States while seeking to induce Texas to join the Union. In 1848 the United States referred to these boundaries in the Treaty of Guadalupe-Hidalgo, and described our southern border as beginning, not at the mouth of the Rio Grande, but "a point 3 leagues seaward from the principal mouth of the Rio Grande." Unless the true boundaries of the Republic of Texas extended 3 leagues seaward, how could the boundary of the United States near the mouth of the Rio Grande extend 3 leagues seaward? Clearly, the only claim the United States has ever had to any territory anywhere near the mouth of the Rio Grande comes through the title and sovereignty of the Republic of Texas.

Now how did this Texas title pass to the United States? This transfer of title is what Justice Frankfurter says "to me remains a mystery." Every lawyer in this House will agree that if title, as distinguished from the sovereignty, was once in the Republic of Texas, it must have passed to someone when Texas came into the Union. It could have gone only to the United States or to the State of Texas.

The Post says it passed to the United States. Let us see. Let us read the record—the abstract of title, if you please.

We started with title admittedly in the Republic of Texas. Now follow me closely, please.

In 1844 the Republic of Texas sent its Secretary of State to Washington to negotiate a treaty of annexation. Such a treaty was in fact negotiated and was submitted to the United States Senate for ratification. This proposed treaty did provide that the United States should acquire title to all unappropriated public lands. But it also provided that the United States should pay the public debts of the Republic. These debts then amounted to about \$10,000,000—they increased to nearly \$13,000,000 before Texas was finally admitted. The United States had paid the prestatehood debts of each of the original 13 colonies and later paid the debts of each Territory as it was made a State. The opinion was, however, expressed in the Senate that it would be a great mistake to assume the debts of the Texas Republic. It was suggested that Texas should keep her lands and pay her own debts. In fact, one Senator said that "all the lands in Texas are not worth \$10,000,000."

The United States Senate after thorough consideration, deliberately rejected this treaty.

The Republic of Texas then withdrew its request for annexation, but the next

spring the United States advocates of annexation made another effort. They introduced a joint resolution in Congress and offered Texas annexation on the terms therein set out. In order to get more support for the proposal they changed the provisions which had been contained in the ill-fated treaty draft of the preceding year, and specifically provided that the State of Texas should pay all the debts of the Republic of Texas, and that the State of Texas should retain all vacant and unappropriated public lands. This resolution finally passed both Houses, and was submitted to the Republic of Texas by President Tyler. Texas accepted the proposal. The State of Texas paid the debts of the Republic of Texas.

Texas is the only State that paid its prestatehood debts, and yet the President had the effrontery 2 weeks ago to refer to Texas as having entered the Union on an equal footing with all other States. This phrase was contained in the original decision of the Court, but when the inapplicability of the phrase was called to the Court's attention in Texas's motion for rehearing, the Court withdrew it. Texas did not enter the Union on an equal footing.

I hold in my hand a copy of the annexation resolution. I offer it in evidence, Mr. Speaker, as a muniment of title. It is in fact a deed of conveyance from the admitted titleholder. It clearly passes title to the submerged lands from the Republic of Texas to the State of Texas. True, it imposed burdens on the State of Texas. The State has met those burdens in full. The State paid a valuable consideration for these lands. Is the United States now to use its wealth and power to repudiate its solemn agreement? Is the United States to make an offer to a small nation and induce that nation to give up its very existence as the Republic of Texas did in reliance on the honor and honesty of the United States, and then when time—and oil—has proven that the Yankee traders of 1845 were not as shrewd as they thought they were, is the United States of America to then declare its solemn obligations to be no more than Kaiser Wilhelm's "scrap of paper"?

And if indeed our country has sunk so low, where are we to look for the deed, the mortgage, or other instrument of title which could pass title from the Republic of Texas, or from anyone else for that matter, to the United States? Again I ask, if there is but one deed, if that deed was prepared by the United States Congress, if that deed passed title from the admitted owner, the Republic of Texas, to the State of Texas, if the State of Texas paid the full obligation set out in the deed and never conveyed the land to anyone else, and finally, if the United States holds no evidence of title whatsoever, how, oh how, can the most callous advocate of confiscation without compensation, claim that title has actually passed to the Federal Government?

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. VURSELL. Is it not a fact that if the Congress would take away this property from the State of Texas we would indeed be robbing the State of Texas?

Mr. POAGE. Why, of course. The State paid for these lands just as truly as any farmer in Illinois ever paid for the land he holds, and the State holds a title deed written by the Congress of the United States and executed by the President of this country under the laws of this Congress.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. WERDEL].

(Mr. WERDEL asked and was given permission to revise and extend his remarks.)

Mr. WERDEL. Mr. Speaker, I take this time because I was very much interested in the remarks of the gentleman from Texas who just preceded me. We, too, in California, do not like claim jumpers. In California we have many people that came from the old Republic of Texas, and they have not changed their political alinement in expressing themselves about claim jumpers.

I would point out to the gentleman from Texas, though, when he talks about the great republic of Texas, that we in this Republic have a two-party system of government. That by its very nature it requires that the party out of power draw the issues on election day, so that the people may relegate the party in power to the position of loyal opposition.

It is the party out of power in our great Republic that represents the only vehicle by which our people can remove the decayed footings of our pillars of state and replace with sound material. Like the wagon wheels that carried our covered wagons west and spread the Republic that the gentleman from Texas is now representing—like the vehicle that took our Republic west—so also it is the party out of power, the Republican Party today and its machinery, that represents the only vehicle by which free Americans can carry the taxers, the spenders, the fixers, the usurpers of power, the claim jumpers, the entrenched subversives, the undereducated intellectuals, and the demagogues in statesmen's dress, to the railroad station in Washington, and replace them with Americans of the caliber and ability of the gentleman from Texas [Mr. POAGE].

The gentleman from Texas has expressed the sentiments of us in California in great detail about the usurping of the water rights of the land owners and other rights, including oil. I only hope the gentleman will find it within his power to join with us and use that vehicle that can give us back Americanism for the people of California and the people of Texas.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Speaker, some of my colleagues have been telling me that the days of a Webster, a Clay, a Calhoun, a Hiram Johnson, a Borah, and other great orators of

the past are gone; that no longer do we hear eloquent, scholarly statement debate from the well of the House. After listening to the gentleman from Texas [Mr. FOAGE], who just addressed the House, I know that those people who so contend are completely mistaken. In clear, concise, logical, convincing statements of fact, the gentleman from Texas presented the case for the State of Texas on the tidelands issue. He deserves the thanks of the House.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for the remainder of his time.

Mr. HOFFMAN of Michigan. I yield back the balance of my time.

Mr. LYLE. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to proceed somewhat out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, I listened to the distinguished gentleman from California [Mr. WERDELL] in his analysis of a situation, which he contends confronts the American people at this particular time. I was rather interested, knowing that he is a student of government and of political matters, to note that he referred to the Republican Party as the party of opposition. As I understand the situation, in a democracy or a government under a constitution such as we have, there is a majority party and a minority party. Under the parliamentary system, as I understand it, there is a government party and an opposition party, sometimes referred to as the loyal opposition.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. PRICE. Perhaps the gentleman from California refers to the Republican Party as the party of opposition advisedly since he has just come through a primary campaign where his views out there were repudiated by his own party.

Mr. PRIEST. Well, the gentleman from Illinois has at least reached a subject which I had in mind, not with reference to the gentleman from California, because I have no desire, as he knows, to enter into any personal controversy with him, but simply to emphasize a point already emphasized by the gentleman from Illinois. Perhaps the gentleman from California did use words that more properly describe the minority party, as we refer to it here in the House, and that it has been for some years an opposition party.

Granting, of course, that everybody has the right to his own viewpoint, there have been times when I thought the opposition was somewhat blind opposition.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. HOFFMAN of Michigan. Does the gentleman disagree with Senator KEFAUVER that we should oppose sin?

Mr. PRIEST. I believe we should oppose sin.

Mr. HOFFMAN of Michigan. We have been doing that.

Mr. PRIEST. Mr. Speaker, I do not desire to delay the proceedings of the House in the consideration of this legislation on this question, which has somewhat of a political tinge, and which has come before the House. It is inevitable that, day after day, as we approach the time of the national conventions of the two great political parties of this country—one a majority party at the present time, and the other, as I see it, a minority party, but described by the gentleman from California as the "opposition party"—political questions will be brought up.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. MARTIN of Massachusetts. The gentleman says the Republican Party is the minority party; did I hear him correctly?

Mr. PRIEST. I believe that for quite a number of years, yes, it has been the minority party.

Mr. MARTIN of Massachusetts. Then will the gentleman refrain, when he goes out on the stump next year, from blaming or chastising the Republicans? Of course, the Republicans are in the minority, and therefore cannot be held responsible for what happens in Congress. The responsibility is, of course, with the majority party.

Mr. PRIEST. The gentleman will meet all of the issues of the campaign on the stump, I am sure, as candidly and as frankly as the distinguished gentleman from Massachusetts [Mr. MARTIN], the minority leader—

Mr. MARTIN of Massachusetts. You do admit, then, that we, of course, as the minority, cannot be held responsible for either the program or the results of this Congress. The gentleman might confide that thought to the President.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. YATES. I do not believe the gentleman from Tennessee stated that the actions of the Republican Party were those of a responsible party; did he?

Mr. PRIEST. The gentleman made no such statement.

Mr. MARTIN of Massachusetts. The gentleman from Illinois will find out next year whether we are responsible.

Mr. MCCARTHY. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. MCCARTHY. I think we should be grateful to the gentleman from California for telling us what the function of the minority party is because his party has had so much experience in that capacity. But, I want to make this further point about the minority party, which may clear this up. Very recently, a prominent Republican had an article in Harper's magazine in which he said that we could not hold the Republicans accountable for what they did while in the minority. Now, what can we hold them accountable for?

Mr. PRIEST. That is a rather profound political question that I feel I do not have the time to answer right now.

(Mr. PRIEST asked and was given permission to revise and extend his remarks.)

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. FEIGHAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Joint Resolution 477, with Mr. FORAND in the chair.

The Clerk read the title of the House joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Ohio [Mr. FEIGHAN] will be recognized for 1 hour and the gentleman from Delaware [Mr. BOGGS] for 1 hour.

Mr. FEIGHAN. Mr. Chairman, I yield myself 10 minutes, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FEIGHAN. Mr. Chairman, House Joint Resolution 477 contains 48 emergency statutes that have been in effect, in some instances since 1939, and subsequently. All of these statutes expire June 15 of this year or, in some instances, within a fixed period thereafter.

There were originally presented to this Congress 60 emergency statutory powers which were sought to be extended. I shall take this opportunity to express my deep gratitude and appreciation for the tireless and industrious efforts by the gentleman from Georgia [Mr. FORRESTER], the gentleman from Delaware [Mr. BOGGS], the gentleman from Texas [Mr. PICKETT], and the gentleman from California [Mr. HILLINGS], members of the subcommittee considering this resolution; also to the able staff members.

Our subcommittee very carefully went over all 60 of these statutes and we have eliminated 11. One additional item which pertains to the manufacture and disposition of gold star buttons has already become permanent law.

There has been very serious discussion with reference to the continuation of the statute providing authority for the extension of the period in the Reserve Corps of Reserve officers. They originally accepted appointments for a period of 5 years or the period of World

War II plus 6 months, and these appointments may now be extended during the period of the present crisis. Now that the war with Japan has been concluded on April 28, the 6 months' period thereafter would expire on October 28. Our subcommittee and the full committee feel, even though we are very cognizant of the difficulties and hardships that come upon many of these reservists by extending the time of service, the exigencies of the world situation are such that it is absolutely necessary that we extend that power at least until June 30, 1953.

I would like to make it very clear that under no circumstances, under the terms of this resolution, will any one of these 48 statutes be operative beyond June 30, 1953.

I may state that each of the 60 items submitted to the committee by the President for its consideration is set out in House Report 2041 which accompanies this bill. These items begin on page 6 of the House report. At each instance where an item appears in the report there is also parallel reference to the page of the hearings where that item was taken up by the committee. In addition, parallel reference is also made to the particular item as it appears in the present bill, House Joint Resolution 477, and to House Document No. 368 which is the instrument through which these items were submitted to the Congress by the President.

Under each item as it appears in the House report is a statement of the present law on the particular subject, followed by the committee's recommendations and reasons therefor.

As you probably know, many of these statutes—in fact, most of them—had their origin in various committees of the House other than the Committee on the Judiciary. The Committee on the Judiciary felt that by June 30, 1953, the various governmental agencies concerned with these particular statutes would have ample opportunity to present their request for either temporary extension or permanent legislation on their particular statutes so that they would become operative after June 30, 1953 if the committee of original jurisdiction and the Congress so willed.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Iowa.

Mr. GROSS. I find running through the report the phrase "of the present war." To what does that phrase refer? Does it refer to the present conflict in Korea or what?

Mr. FEIGHAN. I may state to the gentleman from Iowa that the committee was cognizant of the fact that although we feel that we are engaged in hostile action against belligerent forces we are not in a declared state of war; consequently, in this resolution the wording has been so phrased. For instance, the word "enemy" which is very easily understood in time of war is defined in this resolution to mean any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or any of its allies.

Mr. GROSS. The first paragraph on page 15 contains the phrase "during the existence of the present war." Then in the first paragraph of what may be termed the second section on page 15 there is the phrase "during the present war and for a period of 1 year thereafter." I am asking the gentleman whether he is referring to the conflict in Korea as the present war or what he is referring to there?

Mr. FEIGHAN. We are not referring to the Korean war; we are referring there to the statute as it existed and presently exists, and it was drafted while we were at war. We are continuing that statute. We are not in a declared state of war; consequently we have changed the verbiage in this resolution to make it appropriate to a period where there is no declared state of war.

Mr. GROSS. I understand the language of the bill, but I am looking at the language used in the report and am just wondering if at last we have come around to the point where we call what is going on in Korea by what it is, a war; and whether we are for the first time officially recognizing in language on the part of a committee of Congress that we are in war. That is the question I am asking the gentleman from Ohio.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. FORRESTER. I may say that the phrase "during the existence of the present war" is simply a quotation, or simply the law as it was passed in World War II; that is the language of the statute. When we deal with it we deal with the national emergency and with the provision that would expire on June 30, 1953. The words "war powers" appear only in the original statute, and those are the ones that are to be effective, but only continued for the national emergency and provided that they are not continued after June 30, 1953, but could be discontinued earlier by the President or by the Congress.

Mr. FEIGHAN. I appreciate the gentleman calling the attention of the House to that language because I realize the importance of it and that the word "war" is not used in this bill that we have before us.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I am trying to understand particularly in reference to page 7 of the report which has to do with the prohibition against the selling of Tennessee Valley Authority products. The present statute reads "or to its allies in case of war." The committee recognizes this provision by continuing with the addition of language permitting sale to nations associated with the United States in defense activities. Will that still be limited to cases in time of war?

Mr. FEIGHAN. No; it extends the authority to nations associated with the United States in defense activities. Page 11 of the resolution, line 20, states:

"To nations associated with the United States in defense activities."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FEIGHAN. Mr. Chairman, I yield myself five additional minutes.

Mr. CURTIS of Missouri. Then to make this even clearer, because I am very much disturbed about this, I want to be certain, at least as far as my own vote is concerned, that the Congress here is not affirmatively recognizing the action the President has taken in Korea from the standpoint of whether or not it is a war. On page 3, second paragraph, the committee states:

The proposed legislation as submitted by the President was predicated on two legal assumptions: (1) That the military action in Korea does not constitute a state of war within the meaning of the statutes conferring authority in time of war.

I know it goes further, but I want to call attention to that particular language. Are we accepting the President's legal assumptions and are we predicating this legislation upon the proposition that the military action in Korea is not a war? In other words, is this Congress in the gentleman's opinion taking a position through this legislation, either indirectly or by innuendo in regard to this situation in Korea which Congress has yet to show the courage, in my opinion, to face up and either declare it a war or declare it not to be a war?

Mr. FEIGHAN. We are taking no action whatever directly. We are recognizing that we are in a national emergency and as such we are requesting that these powers, many of which have come into existence either under a declaration of the existence of a state of war or a national emergency, be extended. We are requesting the extension of these statutes on the basis of the national emergency.

Since most of the provisions that are to be extended in this bill concern legislative matters outside the scope of jurisdiction of the Judiciary Committee, it is recommending their continuation only on a temporary or nonpermanent basis. Nothing contained in this bill is to be construed or interpreted as definitely and finally deciding the continuation of any of the authorizations on a permanent basis. However, because of the urgency, caused by world conditions, for the present continuation of many of these wartime provisions, the committee was chiefly interested in satisfying itself that there was justification for continuing the provisions until such time as the Government agencies concerned could seek, before the proper congressional committees, legislation either on a permanent basis or for a further extension on a temporary basis. We are not recognizing, even by innuendo or inference, any declaration of war or any existence of a state of war.

Mr. CURTIS of Missouri. In other words, the Congress is really hiding from the facts.

Mr. FEIGHAN. We can argue back and forth on that. I am just stating the facts.

Mr. CURTIS of Missouri. I appreciate that and I am not trying to draw anything further than what I think we can from the situation that exists. Congress is not facing up to the fact that there is a war in Korea through this legislation; is that not an accurate statement?

Mr. FEIGHAN. In terminology, yes. However, we are recognizing that we are engaged in open conflict or hostilities in Korea, and that grave situation requires the continuation of these emergency powers.

Mr. CURTIS of Missouri. Well, that is what I mean, and also as it affects our status and how we are going to proceed in the future on this?

Mr. FEIGHAN. It is further defining how we are going to proceed in the future.

Mr. CURTIS of Missouri. Our whole trouble is the fact we do not recognize the situation in Korea to be a state of war when everybody in this country, particularly people who have sons who have been killed or wounded over there, knows it is a war.

Mr. FEIGHAN. Everybody is cognizant of the fact we are in a war.

Mr. PICKETT. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Texas.

Mr. PICKETT. In connection with the question raised by the gentleman from Missouri, let me say that there is no place in this piece of legislation to raise the issue of whether the Korean episode or whatever you may call it is a war or is not a war. If you want to raise that question, it ought to be done through a separate piece of legislation that meets the issue square on the nose, and that everybody would meet on that basis, without having to involve most of these questions in it.

Mr. CURTIS of Missouri. I appreciate those remarks. I did not want my position to be misunderstood, so that no one can come along and say that I passively have agreed to the legislation, which I think is just indefensible.

Mr. PICKETT. In that connection the whereas clauses would, I think, make it abundantly clear to the gentleman just exactly what is meant by this legislation.

Mr. CURTIS of Missouri. Well, it was not very clear, and neither is it clear in anybody's mind.

Mr. PICKETT. Well, it is clear in my mind.

Mr. CURTIS of Missouri. The answer really is that we are ducking an issue, and it is probably true that we might not want to bring it up in this piece of legislation, but I wanted to know what the effect of it would be if we adopted it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Iowa.

Mr. GROSS. On page 11 of the report I notice this language:

During the continuance of the present war and for 6 months after the termination of the war, or until such earlier time as the Congress by concurrent resolution or

the President by proclamation may designate, the Secretary of War is authorized to provide for entertainment and instruction in connection with the welfare of enlisted personnel.

What is meant by "entertainment of enlisted personnel?" Will the gentleman please explain?

Mr. FEIGHAN. Yes. The gentleman, I am sure, is cognizant of the fact that in many of the camps where the Armed Forces personnel are located, that they have recreation facilities such as movies, bowling alleys, dance and meeting halls, and baseball diamonds; places for their entertainment and recreation.

Mr. GROSS. Why must they be dealt with under emergency legislation?

Mr. FEIGHAN. Because under the basic statute this item depends for its validity upon "the continuance of the present war" which is World War II and if we do not continue it under this resolution, the authority to provide entertainment will expire.

Mr. GROSS. Should that not be taken care of in regular appropriation bills or an ordinary authorization in an appropriation bill?

Mr. FEIGHAN. You must understand this, as I pointed out previously, that many of these are statutes which originated under the jurisdiction of other standing committees of the Congress, and they have been brought to the Judiciary Committee en masse for continuation. Now we have continued them only until June 30, 1953, in order to give an opportunity to the various agencies involved to present their case to the regular standing committees. You must have some authorization, of course, before you can have an appropriation, otherwise it would go out on a point of order.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Would the gentleman from Ohio say that the Committee on the Judiciary was no more ducking the issue of whether or not we are in a technical war than did the Committee on Appropriations, or the Members of the entire House, when the members of the committee in one instance and in the House in the other instance voted to appropriate money for producing artillery, planes, pay for officers and other expenditures in connection with the armed conflict in Korea?

Mr. FEIGHAN. I think that is very well taken.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. CELLER. The gentleman from Missouri said that for all practical purposes we are in a war. If this fracas we are in now and these new difficulties in which we now find ourselves might be determined to be a war, then there is no need for this legislation we are offering today, because the basic statute provides "during the continuance of the present war and for 6 months after the termination of the war or until such earlier time as the Congress by concurrent resolution or the President may designate."

Then all these powers are in existence so that we would not need this legislation at all.

Mr. FEIGHAN. Except at the conclusion of the Japanese Peace Treaty we are no longer in a declared state of war.

Mr. CELLER. That is correct, but if we were in a war—

Mr. FEIGHAN. Then there would be no need for it.

Mr. CELLER. That is correct.

Mr. CURTIS of Missouri. In regard to that particular point, that is the issue, because Congress alone has the authority to declare war. I think we are all in pretty much of a box here, because the President, instead of coming before the Congress in June of 1950, when the Korean conflict broke out, might well have regarded that as a police action at that time, but some time in the ensuing months it became very obvious that that conflict became a war.

We have to look to the Executive for leadership on those things—to come before the Congress with a message, with recommendations as to what he thinks is necessary. That has not been done. Here Congress is hobbling along with a situation that actually is a war, but that we have not termed a war. The result is that we have legislation of this nature which is really patchwork, and I think everyone must realize it is patchwork legislation.

Mr. FEIGHAN. Congress alone has the power to make a declaration of war.

Mr. CURTIS of Missouri. Yes; but on the recommendation and usually after an address by the Executive telling us what the situation is, because the Executive alone is the one who really knows the picture.

Mr. FEIGHAN. I think we have a pretty fair idea of what is going on in Korea.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. CELLER. There is no need for the Congress to await as a condition precedent to a declaration of war that a President come to address us or even send a message to us. We have a constitutional right to declare war.

Mr. CURTIS of Missouri. Yes; but it is usually done on the recommendation of the Executive, because the Congress does not have access to all the information that is available to the State Department, the Central Intelligence Bureau, and everything else that he has to know in a situation like that.

Mr. CELLER. Does the gentleman feel that he has sufficient information in his mind so that he can declare this a war?

Mr. CURTIS of Missouri. I certainly do. I think everyone in this country knows it is a war.

Mr. CELLER. Then the gentleman should offer a resolution for a declaration of war.

Mr. CURTIS of Missouri. There are several resolutions, not only here in the House but in the Senate, to try to clarify it, but the leadership of neither the House nor the Senate will bring those

resolutions before this body. I submit we should clear this thing up.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Iowa.

Mr. GROSS. I certainly do not agree with the gentleman from New York [Mr. Celler] that we are in what he calls a difficulty or a fracas. We have lost more men in this war than in almost every other war we have been engaged in that was officially proclaimed to be a war. He can call it a fracas if he wants to.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Georgia.

Mr. FORRESTER. With respect to whether or not we are in a war, I believe the Members will concede that that certainly was not a matter directed to us. The subcommittee dealing with this bill was dealing purely with a bill as to, whether emergency powers would or would not be granted. Consequently, the technical question of whether or not we are in war is not in point. The question is whether we are going to address ourselves to granting these emergency powers.

May I take this opportunity to say that for approximately 2 months this subcommittee No. 4 has worked exceedingly hard. There were five members on that committee, three Democrats and two Republicans, but partisan politics never manifested itself within the entire time we were studying these questions. With one or two exceptions, the bills which are codified here for us to pass on today reflect the judgment of all five members of that committee.

I believe you will find that when we went into these matters we considered every one of these things most seriously. There were some of them that we passed out almost with bowed heads, but we did it on the idea that the circumstances and the requirements of the hour absolutely demanded that.

I take this occasion also to pay tribute to the gentleman from California [Mr. Hillings] and the gentleman from Delaware [Mr. Boggs], as well as the Democrats who participated in this committee.

If the gentleman will indulge me a little further, I would like to say that the gentleman from Texas [Mr. Pickett] has my profound gratitude for the tireless work he has done on this matter. He has worked days and days, and I think it would probably be better to say he has worked week after week on this particular matter. I certainly hope the gentleman will operate with the idea in mind, that we did give this the very noblest part of our natures, and we did the very best we could under the circumstances.

Mr. CURTIS of Missouri. I, too, think the committee has done a very fine job, but in bringing up this point, I hope no one has believed that I have taken it up in any sense in the way of partisanship. I am deeply concerned about the problem with which the Congress now finds itself confronted, and has found itself involved in for many months now, that

we actually have what everyone in this country knows is a war, yet we have not faced the fact from a legal standpoint. That is the difficulty, I think, that we find ourselves in here—not only on this bill, but, and I have forgotten which gentleman pointed it out, our appropriations, too. I agree we have the same problem there. My remarks were not made in any way from a partisan standpoint. But I am concerned with the authority of Congress that is involved here. I do not care whether it might be a Republican President or whoever it might be, we still have to face up to this as Members of the Congress.

Mr. Celler. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. Celler. I agree with the gentleman that we ought to approach this matter calmly and dispassionately and objectively, and in a nonpartisan way. It is too important to do otherwise. I may have used the word "fracas" before. I used that word inadvertently. The committee, however, has amended the basic statutes and instead of using the word "war," use the words "period of hostility." That probably is the best way to describe the gravity and nature of the situation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield.

Mr. GROSS. I should like to say to the gentleman from Georgia that I was in no sense trying to inject partisan politics into this discussion. The question I raised as to the phraseology in the bill was very sincere. I should like to say that the Korean war is a vital issue in this legislation. I should like to ask the gentleman from Georgia how many of these war powers he would be here trying to get today if it were not for the war going on in Korea?

Mr. FORRESTER. That is what I was trying to get across. Perhaps I did not make myself understood. Of course, the fact that we are in a national emergency, declared by the President, and he is the only one who has declared a national emergency, is why we are approaching these things. Certainly I do not intend to intimate in the slightest that the gentleman was approaching this matter from a partisan standpoint. I think I know the gentleman too well for that, and I am sure the gentleman is not doing that. The remarks I made were simply to let everyone know that this subcommittee and this committee did approach it in a most nonpartisan manner, and that this is the result of the serious and combined thinking of all of the fine members of that committee. I am sure the gentleman from Iowa [Mr. Gross] certainly did not intend to intimate in the slightest that the committee did otherwise, because I know he does not intend to do that.

Mr. FEIGHAN. Mr. Chairman, I hope the committee will see fit to approve legislation in its entirety. As I said before, there is only one controversial statute. It relates to reservists and there may be an amendment offered regarding it.

Mr. BOGGS of Delaware. Mr. Chairman, I yield myself 13 minutes.

Mr. Chairman, this subcommittee chairmanned by the distinguished gentleman from Ohio [Mr. Feighan] was presented with a very difficult job of going over this request for continuance of certain statutory emergency powers.

I want at this time to compliment the chairman [Mr. Feighan] and all the majority members of this committee, the gentleman from Texas [Mr. Pickett] and the gentleman from Georgia [Mr. Forrester], three very able and distinguished Members of this body, for their efforts in developing the facts justifying these various requests for emergency power.

I would certainly be remiss if I did not mention my own colleague on this side, the distinguished and able gentleman from California [Mr. Hillings] who has worked very hard and displayed outstanding ability in meeting the problems of this legislation. This committee put in over 2 months of hard work, and the members of the staff gave us great assistance and deserve our thanks.

I also want to point out that the Bureau of the Budget and their representatives, and the various Government agencies that were heard, many times did not have sufficient information and facts to satisfy the committee. But in response to our requests for more information and facts, they cooperated well in bringing the material to our attention and making it a part of the Record, as this volume of hearings will show.

So that the membership of this committee and of the House will know fully about every individual item here, I call to your attention the fact that it is made up in the hearings, printed and available to you, and available, of course, for future reference.

This subcommittee approached this problem rather with the thought that we did not want to operate under emergency powers, and we put the burden of proof on those who were requesting these powers. Many of us, including the gentleman from California [Mr. Hillings] were rather hard to convince that these powers were necessary, but as the facts were presented and tied in to the situation with which we are confronted today—some people may call it a war in Korea, some may call it a police action, but, in any event, we know that our men are fighting and dying today in behalf of our country, that calls upon us to favor the continuance of these emergency powers.

I want to point out, in connection with these emergency powers, that they, in each instance, are acts of the Congress, enacted by the Congress to meet a situation. We on the subcommittee and on the full committee have found a situation today that justifies a continuance of these acts to help support the effort which we are making in Korea, and our effort toward production as well as mobilization here at home.

There are many technical items, and I do not propose to discuss each one individually at this time. I think we can approach them individually under the

5-minute rule, where there may be some questions.

I want to point out that one of the big recommendations made by the committee was the question of the 1-year extension. The request had been made for the present emergency, and 6 months thereafter. Some felt that probably 2 years would be more desirable, with that definite time limitation. However, the committee, after careful consideration, thought that 1 year, taking it up to the end of the fiscal year June 30, 1953, would be the proper time, and that would give the various agencies of the Government an opportunity to come in before the regular standing legislative committees and present these problems, so that they could be tied in with other statutory law, with which the committee is familiar.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield.

Mr. FORRESTER. I was interested in the gentleman's explanation about the time limit being put upon these emergency powers, and I certainly appreciate the gentleman's calling that to the attention of the Congress. I believe that the gentleman would agree that when this bill came before us the President was asking for these powers for the duration of the emergency and 6 months thereafter; that there was a complete meeting of the minds of all five members of the subcommittee that we were not going to do that; that we took the position that we might be in a national emergency for 5 years, 10 years, 15 years, or such period that it could become a way of life, and that the only question before us was whether it would be for 2 years or 1 year; and the majority view was to fix it for 1 year. That view prevailed, so that is the provision that is in this bill.

Mr. BOGGS of Delaware. The gentleman is correct and I thank him for that observation.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I am glad to yield to the distinguished gentleman from Michigan.

Mr. FORD. On page 9 of the committee report you refer to the liability of inductees to serve in Reserve components and be ordered to active duty in time of war. Could the gentleman explain just what the committee recommends in reference to this proposal? I am not entirely clear from a reading of the report.

Mr. BOGGS of Delaware. The committee recommends that this item not be extended. The committee reached that conclusion after consultation with members of the staff of the House Armed Services Committee, which, I think, is considering the over-all problem; and also because this particular question, we were advised, could be met administratively by the Director of Selective Service.

Mr. FORD. On page 10 of the report, the last paragraph, involving this particular point, states:

Even though it is eliminated from this bill, this law will remain in the statute

books, and those reservists can be called back in any event without their consent during war or in national emergency declared by the Congress.

Does that mean that hereafter reservists can be recalled only when Congress has declared war, or specifically declared a national emergency?

Mr. BOGGS of Delaware. My understanding of that, I may say to the gentleman, is that when Congress actually declares war there is no question about their being called back.

Mr. FORD. What I am concerned about most is this point: If these recommendations go into effect then there can be no further recall of a reservist unless Congress does one of two things: Either declares war or specifically declares a national emergency.

Mr. BOGGS of Delaware. The gentleman is correct.

Mr. FORD. In other words, hereafter following the enactment of this bill there cannot be any indiscriminate recall of reservists by the Department of Defense without some affirmative act by the Congress.

Mr. BOGGS of Delaware. The gentleman is correct on that, exactly correct. I do not know whether the gentleman is fully aware that this particular section to which he has referred applied only to a very limited number of personnel, that is the group that was called in by Selective Service in 1948. I think there were about 266,000. You remember they were called in and some time later it was decided to let them all out. Many of them served less than a month and a great many did not serve even 90 days. This particular section applies only to that particular group.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield.

Mr. GROSS. This statement is contained in the concluding paragraph on page 10 of the report: "Even though it is eliminated"—and I take it this emergency power is referred to—"Even though it is eliminated from this bill that law will remain on the statute books and those reservists can be called up in any event," and so on, and so forth.

If that can be eliminated from the bill, why was it not eliminated if the law provides that the same thing could be done without these emergency powers? Why not eliminate it, why not take it out of here?

Mr. BOGGS of Delaware. It is my understanding that they can be called back under the Selective Service Act by administrative regulation under the Selective Service Act. I stand to be corrected if that is not a correct statement.

Mr. FORD. On page 10 there is this statement:

There are in all 272,000 enlisted reservists; 109,000 reservists have been recalled since the Korean conflict, 163,000 have not been. This latter figure does not necessarily include the reservists in this special category, that is people inducted, and so forth, from June 1948 through June 1951, but it may do so.

I am not so sure that the effect of the deletion of this particular provision has the same result that the gentleman has

indicated; at least, the language in the report does not spell it out entirely clear.

Mr. BOGGS of Delaware. I may say to the gentleman that the hearings were rather extensive on that part and the impression I have just given to the gentleman from Michigan is certainly in line with all of the advice and testimony we had from the authorities and experts representing the Defense Establishment on that subject. I would rather think they would be bound by their expressed views as contained in the hearings.

The CHAIRMAN. The time of the gentleman from Delaware has expired.

Mr. BOGGS of Delaware. Mr. Chairman, I yield myself two additional minutes.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Delaware. I yield to the gentleman from New York.

Mr. CELLER. I want to say that in all of my experience as a member of the Committee on the Judiciary I have never found a subcommittee that worked more arduously, with greater wisdom and with more patience than the subcommittee that brought in this bill. I have nothing but praise for the chairman of the subcommittee, the gentleman from Ohio [Mr. FEIGHAN] and his colleagues, the gentleman from Georgia [Mr. FORRESTER], the gentleman from Texas [Mr. PICKETT], the gentleman from Delaware [Mr. Boggs], and the gentleman from California [Mr. HILLINGS]. Their work was presented to the full Committee on the Judiciary and that committee labored for almost two full days during its regular periods of sessions of the Committee on the Judiciary and accepted almost without change the work that was submitted by this very exemplary subcommittee of the Committee on the Judiciary.

Mr. BOGGS of Delaware. I thank the gentleman.

Mr. Chairman, I now yield 3 minutes to the gentleman from California [Mr. HILLINGS].

Mr. HILLINGS. Mr. Chairman, I wish to associate myself with the remarks of the distinguished leader on the minority side of the subcommittee, the gentleman from Delaware [Mr. Boggs]. I would like to say without any desire to embarrass him that it has been a particular pleasure to serve under his able leadership on the minority side of this distinguished subcommittee.

I understand the gentleman from Delaware is going to leave this House at the end of the present session to possibly occupy the governor's mansion in the State of Delaware. I know his colleagues in the House, particularly those on the Committee on the Judiciary, wish him well in his desire and ambition to become chief executive of the great and sovereign State of Delaware.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from New York.

Mr. KEATING. Mr. Chairman, having served for a good many years on the same committee with the gentleman from Delaware, I would like to join in the remarks which the gentleman from

California has just made about the outstanding contribution the gentleman from Delaware [Mr. Boggs] has made to the deliberations of this Congress and to the work of our committee. We will certainly miss him very sorely in this body, and I am sure that all of us wish him the best of success in his effort to become governor of the sovereign State of Delaware. So far as I am concerned, I know that the citizens of that great State of Delaware will not be disappointed if they elect the gentleman from Delaware [Mr. Boggs] to the governorship, but, on the contrary, will be proud of his achievements as governor of that great State.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. Mr. Chairman, I, too, would be remiss at this time if I did not say a word of commendation not only of this subcommittee, but of the distinguished gentleman from Delaware [Mr. Boggs], who is about to leave us. It was at my suggestion, after speaking to our minority leader, the gentleman from Massachusetts [Mr. MARTIN], that he was placed upon our committee, where he has served so faithfully and well. I was associated with him for a number of months in our particular subcommittee, and he gave unstintingly of his time and service. There was always an earnest desire on his part to perform the duties assigned to him; he has been an able legislator, and I think has been one of the great contributors to the Congress of the United States, and in his passing from our midst we will sorely miss him. Now for the members of this particular subcommittee, while I did not take part in much of this work, I feel that they have done an excellent, remarkable job and that due credit should be given them for the good work that they have done.

Mr. HILLINGS. I thank the gentleman from Pennsylvania for his very fine remarks.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Mr. Chairman, I would not want the impression left that only the members of the Committee on the Judiciary are very sorry to see our distinguished friend the gentleman from Delaware [Mr. Boggs] leave us. I think that that expression of sorrow should include everyone in the House. The gentleman from Delaware has been one of the outstanding Members of the Congress, and we all wish him well in the newer and higher job that he is going to undertake in the coming year.

Mr. HILLINGS. I thank the distinguished minority leader.

I also wish to express my appreciation to the majority members of the committee. We have heard many fine things said about them today, especially by the distinguished chairman the gentleman from New York [Mr. Celler]. They have worked conscientiously to bring before this Congress this extremely fine piece of legislation, and they have done

so after a great deal of care and long and extensive hearings and discussions. I join in support of the legislation which we are considering this afternoon. The gentleman from Ohio, the gentleman from Georgia, and the gentleman from Texas have all done an outstanding job on the committee. I would also like to pay tribute to the members of the committee staff, Miss Smedley and Mr. Brickfield, who assisted the committee in an exceedingly fine manner, giving us the opportunity to study carefully a very technical piece of legislation.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. CELLER. I am sure the gentleman will join with me in placing an accolade of distinction also on a member of the subcommittee who has served with us so faithfully, the gentleman from Texas [Mr. PICKETT]. He, too, is leaving these honored Halls after this Congress has concluded its labors. He is going back to his State to practice law. Not only shall we miss him in the House, but we shall miss him in the Committee on the Judiciary of which he has been a very valuable member, and all I can say for him is hail and farewell.

Mr. HILLINGS. I, too, join the gentleman from New York in paying a word of praise for the distinguished services rendered not only to the committee, but to the House as a whole, by the distinguished gentleman from Texas [Mr. PICKETT]. It has been a distinct honor to serve with him on this committee, and I know that the House is going to miss his services following his retirement this session.

Mr. FEIGHAN. Mr. Chairman, if the gentleman will yield, I feel it is most unfortunate for Congress that these two gentlemen have seen fit to leave our midst, but I am sure that they will carry with them the good wishes and the fondest hopes of all of us for their success. I am sure that the industry, the personality, the character, and the sterling qualities which they have exhibited in committee and on the floor of the House will carry them to even greater triumphs. They have devoted themselves faithfully and untiringly to the duties of their office, and it is certain they will continue their pursuits in the splendid tradition of the House of Representatives, to which they have so generously contributed.

Mr. HILLINGS. I heartily agree with the gentleman in his remarks.

Mr. Chairman, I wanted to make some brief observations concerning the legislation before us which, as I said earlier, I am joining in supporting.

I hope that in the new Congress which will meet here in Washington in January of 1953 a very careful attempt will be made to review seriously all of these 48 wartime emergency powers that are being extended by this legislation. It is extremely important that, while we recognize the serious emergency facing our country—recognize it as the basis for continuing a large number of the wartime powers as requested by the President—we must also realize the great

danger in extending such emergency powers. I hope the Congress will be ever diligent and on guard to see that at any time when it is possible to remove any of the powers such action will be taken in the best interest of our democracy—our republican form of government. I hope the next Congress will not avoid the opportunity to review these powers thoroughly when it meets in January of next year.

I also wish to point out that the committee deserves a great deal of credit for meeting head-on one of the important issues of the day—an issue which the Congress has been criticized for not meeting—that is, of course, the question of Government seizure of private property. The subcommittee decided, after long and extensive hearings, during which all of the leaders of the various railroad brotherhoods appeared before the committee—and I should like to pay tribute to the fine, frank, and straightforward testimony given by the leaders of the great railroad brotherhoods of our country—not to extend the statutory authority for the Executive to seize the railroads. I think this is an important point. The committee deserves a great deal of credit for meeting head-on an important issue of the time, which I know was very much in the public eye, and which Congress has been criticized for not facing.

With that in mind, I hope the Congress will seriously consider and approve this legislation.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand, now, that there is only one major industry left subject to Presidential seizure—that being the public utilities?

Mr. HILLINGS. The transportation utilities, of course, were actually removed from being subject to seizure by the Executive as the result of this legislation.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Georgia.

Mr. FORRESTER. I am glad the gentleman from California brought out the fact that our subcommittee did consider the request to seize the railroads. Particularly am I delighted that the gentleman expressed his opinion concerning the testimony set forth by the various witnesses of the different brotherhoods. Of course, I know the Members of Congress are quite busy, but I believe if they would get those reports and read that testimony it would be illuminating to them. When those witnesses were on the stand the members of our subcommittee questioned them quite closely, particularly as to what they would do if this power were not continued. I believe you will find testimony in the record to the effect that they said that first, last, and always they were Americans, that they would not strike if it jeopardized the public welfare, and that at all times they could be counted on to do their part in any emergency that arose.

I feel that as a member of that subcommittee I should tell the Members of the House that that kind of testimony did come from those fine organizations. I was delighted to witness it and to hear that testimony myself.

Mr. HILLINGS. I thank the gentleman from Georgia and concur in his comments.

I should like to emphasize to my colleagues the point which was raised earlier by the gentleman from Georgia. It would be very worthwhile for all Members of the House on both sides of the aisle to read very carefully and very seriously the testimony offered by the railroad brotherhoods before our committee. Every single one of those representatives of the great railroad labor organizations of the United States testified against granting the authority to any President to seize the railroads. They pointed out the very serious problems that had arisen, problems affecting bargaining rights and working conditions of the employees of the railroads as a result of the Government seizure. I do not believe that proper attention has been focused on the testimony given by the members of organized labor in the railroad industry during our committee hearings, but I hope the Members of the Congress will take time to study that testimony.

Mr. FEIGHAN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the joint resolution.

The Clerk read as follows:

Whereas certain statutory provisions dependent upon the existence of a state of war and upon the national emergencies proclaimed in 1939 and 1941 were continued in effect until June 1, 1952, by Public Law 313, approved April 14, 1952, and were subsequently further continued in effect until June 15, 1952, by Public Law 368, approved May 28, 1952, in order to permit further consideration of a more extended continuation; and

Whereas the last of the states of war of World War II and the national emergencies proclaimed by the President in 1939 and 1941 were terminated on April 28, 1952; and

Whereas a more extended continuation of the statutory provisions herein dealt with is needed to insure the national security and the capacity of the United States to support the efforts to establish and maintain world peace: Now, therefore, be it

Resolved, etc., That notwithstanding the termination on April 28, 1952, of the existence of a state of war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

(a) The following statutory provisions, and the authorizations conferred and liabilities imposed thereby, in addition to coming into full force and effect in time of war or otherwise where their terms so provide, shall remain in full force and effect until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 CFR, 1950 Supp., p. 71), or until such earlier date or dates as may be provided by the Congress by concurrent resolution either generally or for a particular statutory provision or by the President either generally by proclamation or for a particular statutory provision, but

in no event beyond June 30, 1953, notwithstanding any other terminal date or provision of law with respect to such statutory provisions and notwithstanding any limitation, by reference to war or national emergency, of the time during or for which authorizations or liabilities thereunder may be exercised or imposed; and acts or events of the kind giving rise to legal consequences under any of those provisions when performed or occurring during the state of war which terminated on April 28, 1952, shall give rise to the same legal consequences when they are performed or occur during the period above provided for:

(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201); and, effective for the period of time provided for in the opening paragraph of this subsection, section 1 of said act of December 17, 1942, is amended by inserting "or the maintenance of the national defense" after "the prosecution of war".

(2) Act of March 27, 1942 (ch. 199, secs. 1301-1304, 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

(3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

(4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 1171, (a), 1171 (b)); and the authority thereby granted to the Secretary of the Army is hereby conferred on the Secretary of the Navy, to be exercised by him on behalf of the Department of the Navy, using naval appropriations for the purpose.

(5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

(6) Act of January 2, 1942 (ch. 645, sec. 7), as added by the act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

(7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14, and 15, 56 Stat. 143-147), as amended (50 U. S. C. App. 1001-1012, 1014, and 1015), and as extended by section 4 (e) of the act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the period of time provided for in the opening paragraph of this subsection, sections 2, 6, 9, 12, and 14 of said act of March 7, 1942, as they read immediately before the enactment of Public Law 313, Eighty-second Congress, are amended as follows, and, as so amended, are further extended in accordance with section 4 (e) of said act of June 24, 1948:

(A) Section 2 (50 U. S. C. App. 1002) is amended by deleting "interned in a neutral country, captured by an enemy" and inserting in lieu thereof "interned in a foreign country, captured by a hostile force."

(B) Section 6 (50 U. S. C. App. 1006) is amended by deleting "in the hands of an enemy or is interned in a neutral country" and inserting in lieu thereof "in the hands of a hostile force or is interned in a foreign country."

(C) Section 9 (50 U. S. C. App. 1009) is amended by deleting "in the lands of an enemy" and inserting in lieu thereof "in the hands of a hostile force" and by deleting "such enemy" and inserting in lieu thereof "such hostile force."

(D) Section 12 (50 U. S. C. App. 1012) is amended by deleting "interned in a neutral country, or captured by the enemy" and inserting in lieu thereof "interned in a foreign country, or captured by a hostile force."

(E) Section 14 (50 U. S. C. App. 1014) is amended to read as follows:

"Sec. 14. The provisions of this act applicable to persons captured by a hostile force shall also apply to any person beleaguered or besieged by a hostile force."

(8) Act of December 4, 1942 (ch. 674, secs. 2, 3, and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

(9) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

(10) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

(11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-391; 50 U. S. C. App. 781-785).

(12) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said act of October 14, 1940, continue to exist during the period of time provided for in the opening paragraph of this subsection.

(13) Act of December 2, 1942 (ch. 668, titles I and II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706, 1711-1717). Effective for the period of time provided for in the opening paragraph of this subsection, the following terms, as used in titles I and II of said act of December 2, 1942, and the terms "allies" and "war effort," as used in the statutory provisions referred to in section 101 (a) (1) of said Act (42 U. S. C. 1701 (a) (1)), have the following meanings: The term "enemy" means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies. The term "allies" means any nation, government, or force participating with the United States in any armed conflict. The terms "national war effort" and "war effort" include national defense. The term "war activities" includes activities directly related to military operations.

(14) The paragraph designated "(2)" which was inserted into the act of March 3, 1909 (ch. 255, 35 Stat. 753), by the act of April 9, 1943 (ch. 39, 57 Stat. 601; 34 U. S. C. 533).

(15) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the Act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

(16) Act of December 23, 1944 (ch. 716, 58 Stat. 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

(17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59 Stat. 505; 5 U. S. C. 801); and, effective for the period of time provided for in the opening paragraph of this subsection, the term "enemy" as used in section 5 (b) of said Act of July 28, 1945, means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any nation, government, or force participating with the United States in any armed conflict.

(18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

(19) Act of October 17, 1942 (ch. 615, secs. 1-4, 56 Stat. 796; 36 U. S. C. 179-182).

(20) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

(21) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the Act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

(22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

(23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

(24) The eighth paragraph (designated "Military traffic in time of war") of section 6 of the act of February 4, 1887, chapter 104, as that section was amended by section 2 of the act of June 29, 1906 (ch. 3591, 34 Stat. 586; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

(25) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

(26) Act of February 4, 1887 (ch. 104, sec. 420), as added by act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020).

(27) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245), as amended (50 U. S. C. App. 1271-1275).

(28) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

(29) Title 18, United States Code, sections 794, 2153, 2154, and 2388. Effective in each case for the period of time provided for in the opening paragraph of this subsection, title 18, United States Code, section 2151, is amended by inserting "or defense activities" immediately before the period at the end of the definition of "war material" and said sections 2153 and 2154 are amended by inserting the words "or defense activities" immediately after the words "carrying on the war" wherever they appear therein.

(30) Act of May 23, 1918 (ch. 81, 40 Stat. 559), as amended by the act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223-226b).

(31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90-96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms "prosecution of the war" and "conditions of wartime production," as used in said act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.

(32) Title 28, United States Code, section 2680 (j).

(b) The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no even beyond June 30, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

(1) Those portions of section 37 of the act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.

(2) The second sentence of section 40b of the act of June 3, 1916, as added by section 33 of the act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 850i).

(4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

(5) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

(6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

(7) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

(c) The President is authorized to continue in effect until and including June 30, 1953, all appointments as officers and as warrant officers of the Army and of the Air Force which under the following provisions of law would terminate after April 27, 1952, and before June 30, 1953:

(1) Sections 37 and 38 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C. 358, 32 U. S. C. 19), and section 127a of that act as added by the act of June 4, 1920 (ch. 227, 41 Stat. 785), as amended (10 U. S. C. 513).

(2) Section 515 (e) of the act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

(3) Section 3 of the act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a).

SEC. 2. (a) Section 5 (m) of the Act of May 18, 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is amended by inserting before the period at the end thereof "or, until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide but in no event after June 30, 1953, to nations associated with the United States in defense activities."

(b) The second proviso of section 1 of the act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), is amended to read: "Provided, That if such accident or incident occurs in time of war, or if war intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established, but if such accident or incident occurs after December 6, 1939, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within 1 year after the termination of that national emergency or June 30, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 2 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e).

(c) The second proviso of section 1 of the act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), is amended to read: "Provided, That if such accident or incident occurs in time of war, or if war intervenes within 1 year after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established, but if such accident or incident occurs after June 23, 1950, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within 1 year after the termination of that national emergency or June 30, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 1 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d).

SEC. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this joint resolution is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

SEC. 4. Nothing in this joint resolution shall be construed to repeal or modify section 601 of Public Law 155, Eighty-second Congress, first session, relative to coming into agreement with the Committee on Armed Services of the Senate and of the House of Representatives with respect to real-estate actions by or for the use of the military departments or the Federal Civil Defense Administration.

SEC. 5. If any provision of this joint resolution, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this joint resolution, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 6. Public Laws 313 and 368, Eighty-second Congress, are repealed without effect upon rights accrued, liabilities incurred, or actions taken thereunder.

SEC. 7. Sections 1 through 6 of this joint resolution shall take effect June 16, 1952.

SEC. 8. This joint resolution may be cited as the "Emergency Powers Continuation Act."

Mr. ARMSTRONG. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I appreciate this opportunity and the courtesy of the chairman and Members of the House. I do this in order to question the wording of this resolution. I am against this resolution

because I am against granting wartime powers except in time of war. In the discussion, which we have heard here this afternoon, it has not been brought out as it should for the record whether or not we actually are at war in Korea. I do not think we should pass this chance to make it clear, as everyone knows, that we are at war in Korea within the meaning of the Constitution of the United States. The President of the United States took us into that war under his so-called inherent power as Commander in Chief of the Armed Forces of this Nation. I say to you, and I measure my words this afternoon at the conclusion of debate on this important resolution, that the President had no more inherent power as Commander in Chief of the Armed Forces of this Nation, to take this Nation into an undeclared war than he did under his so-called inherent powers to seize the steel mills. Members of the committee, even though we should have gone into Korea, the Congress of the United States should have said whether we go or not. So far as I am concerned, if in order to meet and put down aggression it was necessary to use Armed Forces and thus to continue the state of existence, as brought out repeatedly in this bill, requiring wartime powers, then it should have been done openly, and, shall I say, honestly. So far as I am concerned, to continue to support this undeclared war is an act of political dishonesty. I say so far as I am concerned. I do not say that if the President had asked for a declaration of war that I would vote for one, but I do protest this continuation of a subterfuge, which has caused us the lives of thousands of our boys every month. If this is not war, then what do you call a conflict that has continued—in a few days it will be 2 years, much longer than the First World War, in which I, and so many of you, my colleagues, had the honor to wear the uniform of our country. I am pleading that the time has come to face up honestly to this matter. The wording of this bill continues a subterfuge which I, in all honesty and decency, cannot support.

Furthermore, as far as I am concerned I am going to refuse to support a war unless we untie the hands of our boys fighting there and permit them to win it. I think it is an absolute disgrace to have sent our boys into a war and the say to them, "You cannot win it. It has got to be a stalemate." Never before has the Commander in Chief of the Armed Forces of this great Nation proclaimed such a war. Never before have we forced our fighting men into battle with their hands tied behind their backs. As far as I am concerned it is an utter disgrace not to permit them to stand shoulder to shoulder with the Chinese and others who are willing to fight for their freedom.

I am putting the House on notice, and again I measure my words when I say it, I hope that men and women of honor—and when I say honor I mean those who cherish constitutional provisions, placing upon us the responsibility for declaring war—will have a chance to re-evaluate this thing before this session

closes, and say to this Nation at least we are going to clear our skirts of this question whether we are at war or at peace.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, I offer an amendment.

Mr. CELLER. Mr. Chairman, a point of order. The amendment comes too late. I understood the Chairman has recognized the gentleman from Missouri as a matter of grace.

The CHAIRMAN. The Chair must say the Committee was still in session and had not risen. The gentleman from Georgia is recognized.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia: Page 14, after line 2, insert the following:

"SEC 8. The Congress hereby finds that, by reason of the work stoppage now existing in the steel industry, the national safety is imperiled, and therefore the Congress requests the President to immediately invoke the national emergency provisions (secs. 206 to 210, inclusive) of the Labor Management Relations Act, 1947, for the purpose of terminating such work stoppage."

And renumber section 8 as section 9.

Mr. FEIGHAN. Mr. Chairman, I raise the point of order that the amendment is entirely new legislation and not germane or relevant to the resolution under discussion, or any of the 48 statutes included therein.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman reserve his point of order?

Mr. FEIGHAN. Yes, I will reserve the point of order.

(Mr. DAVIS of Georgia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Georgia. Mr. Chairman, on yesterday in his message to the joint session, the President said:

Our national security depends upon our total economic strength, and steel is a basic element in that strength.

Consequently, we are faced with the imperative need for getting most, if not all, of the Nation's steel mills back into production very promptly.

There are several possible courses of action that might be followed. However, I believe there are two main possibilities. One of these is Government operation of the steel mills. The other is the use of a labor injunction of the type authorized by the Taft-Hartley law. The Congress can choose either of these two courses. I cannot. I could only use the Taft-Hartley approach. In my judgment, that is by far the worse of the two approaches.

Consequently, I feel that I should put the facts before the Congress, recommend the course of action I deem best, and call upon the Congress—which has the power to do so—to make the choice.

The President squarely put the question to Congress to inform him as to the wishes of Congress regarding the method to be used in bringing about a resumption of steel production. He emphasized the need for quick action on our part. I think no one will dispute the fact that the President wants the decision of Congress as quickly as he can get it.

The other body gave him its decision yesterday.

Here in the amendment I am offering is an opportunity for the House to give him its decision today.

The immediate need of this country is not to initiate new legislation which must be referred to a committee, heard by the committee, and brought to the floor of the House through the various stages of parliamentary procedure involved in the progress of every bill. The immediate need of the country is for the production of steel to be resumed. The President on yesterday emphasized that need. He told us that there are two principal methods open to achieve that goal: Namely, first, Government operation of the steel mills; and, second, the use of the Taft-Hartley law. He specifically asked Congress to make a choice between these two methods. The question then presents itself: Why delay the decision?

In my opinion, the use of the Taft-Hartley law in this present emergency is the quickest method by which steel production can be resumed.

In the first place, that law is intended to be used only in a state of emergency. The present situation is certainly such a state of emergency. There never was a more appropriate time for the provisions of that law to be brought into effect for the benefit of the country. I do not need to emphasize the need for steel for planes, tanks, and munitions. Every day which goes by without steel production weakens us and strengthens our enemies.

The Taft-Hartley law was and is intended to be used when negotiations have reached a stage of deadlock and when all available means of mediation have broken down. This is such a time. Negotiations have now reached a stage of deadlock, and we face the very situation which was contemplated when the Taft-Hartley law was drawn. Production has stopped. Negotiations have stopped. What is needed at this moment is not an opportunity to debate controversial legislation. What is needed today is to produce steel quickly and abundantly for our security abroad and for our economy at home.

By bringing this law into effect now steel production can be resumed, and that is one of our major needs. Hundreds of thousands of workingmen will go back on the payroll and their incomes will be resumed. The means of furnishing food, clothing, shelter, and the necessities of life for themselves and their families will again be available to them. It has been suggested that the workers should not be required to work at their old wages while the steel industry makes profits during the period of negotiation. I think there is very little possibility of that being done. The offer made by the steel companies provided that wage increases would be retroactive to April 1, 1952. I believe it is a reasonable presumption to presume that whatever settlement may finally be made will carry a provision that it will be retroactive at least to April 1, 1952. If that is the case, no one can say that use of the Taft-Hartley law would be unfair to workers because it

would require them to continue to work at their old wages while the steel companies continue to make profits by reason thereof.

So far as the question of quick action is concerned, I believe that use of the Taft-Hartley law is the quickest method available to us to begin steel production again. The first step is the appointment of a board by the President to determine one question, and that question is whether a national emergency exists. That is one question about which there is no controversy whatever. Any board which the President might name could determine in 5 minutes after it met and organized that an emergency does exist. When the board reports that fact to the President, he has the right under the law immediately to ask the courts for an injunction. In one instance an injunction was granted under the Taft-Hartley law 4 days after the board was appointed. No method which has been suggested would be as effective and as quick as the action possible under the Taft-Hartley law. I believe a board could be appointed and make its report to the President now in much less time than 4 days. As a matter of fact, I think the board could be appointed, convene in Washington, and make its report to the President, possibly in 1 day.

If that action is taken it is possible to quickly start the steel furnaces and resume production of steel, put the idle steel workers back to work, and start their income again, and last but not least, bolster the confidence of our Armed Forces in Korea who need so much at this moment to know that the country is united behind them.

All these things could be realized if the Taft-Hartley law is invoked.

It is of the utmost importance that this question be determined as quickly as possible. It can be determined today by this amendment. What can be gained by putting off a vote on this question? We are going to have to vote on it either today or several days later as soon as the parliamentary machinery can be followed. We can vote on it today if this amendment can be brought to a vote. As to whether or not it is subject to a point of order I am constrained to believe, of course, that if the point of order is insisted upon, it probably will be good. But I ask this question: What is to be gained by insisting on a point of order when we must either now or later face this very question which is presented now in this amendment?

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. FEIGHAN. I may say that in my opinion the gentleman is presenting new legislation, and that is under the jurisdiction of the Committee on Education and Labor. Both the subcommittee and the full committee of the Committee on the Judiciary have had no disposition to try to invade the jurisdiction of any standing committee, and I think the amendment the gentleman presents may properly come before Congress but it first should be acted upon by a commit-

tee after thorough and deliberate hearings.

Mr. DAVIS of Georgia. There are questions facing us in this House today that are of far more importance than the question of the jurisdiction of a committee of this House. The Senate voted upon it under practically the same conditions that face us here this afternoon. We have soldiers on the battlefield in Korea needing the steel, the production of which has been stopped because of a strike. The President himself has come and has asked us to decide this question and to decide it as quickly as possible. This amendment will afford an opportunity to decide it. Hundreds of thousands of men are out of work all across this Nation; their incomes have stopped, their means of furnishing food, clothing, shelter, necessities of life for themselves and their families is at a standstill.

I hope we can have a vote on this amendment.

Mr. FEIGHAN. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard on the point of order?

Mr. DAVIS of Georgia. No, Mr. Chairman.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Georgia offers an amendment to House Joint Resolution 477. The Chair has examined the amendment and has examined the resolution under consideration. The Chair finds that the amendment of the gentleman from Georgia pertains to the invoking of permanent law under certain circumstances, whereas the joint resolution under consideration refers to the extension of certain specified temporary powers. The subject matter contained in the amendment offered by the gentleman from Georgia is, under the rules of the House, within the jurisdiction of the Committee on Education and Labor and not within the jurisdiction of the Committee on the Judiciary which reported the pending resolution. The Chair finds therefore that the amendment is not germane to the pending joint resolution.

The point of order is sustained.

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 9, after line 18, insert the following new items:

"(33) Act of July 1, 1944 (ch. 373, sec. 212, 213, and 216, 58 Stat. 689-691; 42 U. S. C. 213, 214, and 217)."

"(34) Act of July 1, 1944 (ch. 373, ch. 211 (c), 58 Stat. 688), as amended (42 U. S. C. 212 (c))."

Mr. MULTER. Mr. Chairman, at the suggestion of our distinguished majority leader and acting Speaker, I asked unanimous consent to withdraw the amendment which I have just offered, in order to facilitate action on the resolution, so that it can be sent to the other body as soon as possible for action there. I am hopeful that my amendment will be considered by that body and adopted so that the conferees may then consider it, and so that it may be included in the

final version of the resolution under consideration.

The message sent to the Congress by the President of the United States requesting the continuation of the Emergency Powers Act is House Document No. 368. It was received February 19, 1952, and referred to the Judiciary Committee. The message contains a letter from the Secretary of Defense, the Honorable Robert A. Lovett, dated February 16, 1952, and a draft of a resolution as prepared by the Secretary of Defense in collaboration with the Attorney General, the National Security Resources Board, and the Bureau of the Budget.

At page 23 thereof appears an explanation of the reasons it is essential to continue the Emergency Powers Act with reference to the Public Health Service.

Unfortunately the resolution as presented to us omits the provisions with reference to the Public Health Service. My amendment seeks to correct that omission.

The reason for the omission of those provisions appear on page 12 of the House Committee Report No. 2041. I submit that the reason is utterly fallacious. The committee said the compulsory retention of Public Health Service personnel is not vitally necessary to our immediate national security as are the regularly established components of the Armed Forces.

Unfortunately, the committee has overlooked some very vital facts.

The Public Health Service has 2,556 commissioned officers on active duty, consisting of medical officers, dental officers, sanitary engineers, pharmacists, scientists, nurse officers, dietitians, therapists, and veterinarians. Of that number, about 200 medical and dental officers are serving their 2 years' obligated service under the Doctor-Dentist Draft Act. There are 118 medical interns in the Public Health Service. Any or all of these men can resign from the Service upon the expiration of the Emergency Powers Act this month, unless my amendment is included in the instant resolution. Under existing law members of the Public Health Service, including all of its commissioned officers, must retire when they reach 64 years of age. They have no choice in the matter. No matter how fit they may be, no matter how desirous they may be of continuing in the Service, no matter how anxious the Service may be to keep them, or how great its need may be, except for the Emergency Powers Act, those men must be retired at 64. Those now in the Public Health Service who are beyond that age are being kept there only by virtue of the Emergency Powers Act, and they will be discharged this month by operation of law unless my amendment prevails.

The Public Health Service has the responsibility for furnishing medical care, not only to the Maritime Service but to the Bureau of Prisons, to the Coast Guard, and to the Department of Justice. With the tremendous shortage of professional men in these categories, we can be sure that a great many of them will resign their commissions in the Public Health Service in order to obtain the

benefits now available to them outside of Government. It would be a tremendous tragedy not to continue the Public Health Service as a part of the Armed Forces during the existing emergency.

It is only by virtue of the Emergency Powers Act that the Public Health Service has a right to order its commissioned officers to whatever part of the world the Service demands. If we allow this power to lapse the Service's right to court martial its commissioned officers ceases and these men are civilians who can quit the Service at will. Even the medical interns, upon completing their internship, instead of continuing to serve in the Public Health Service, will be able to immediately resign for better positions in private hospitals or to engage in private practice.

The demands on the Public Health Service require that it send its medical officers all over the world: to Korea, Indochina, Pakistan, and to other distant places fraught with danger. Today the order is issued and the man must go. Let these powers lapse as to the Public Health Service and immediately upon receiving such an order we can be sure that the man will resign from the Service in order to stay at home where he can engage in the specialty of his choice and stay at the side of his family.

The emergency is far too great to permit such personal considerations to disrupt the Service.

Mr. Chairman, I ask unanimous consent to withdraw the amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, pursuant to House Resolution 677, he reported the same back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent

Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 284, nays 69, not voting 78, as follows:

[Roll No. 102]

YEAS—284

Abbitt	Furcolo	Moulder
Addonizio	Gamble	Multer
Allen, Calif.	Garmatz	Mumma
Allen, La.	Gary	Murdock
Andersen	Gathings	Murphy
H. Carl	Gavin	Murray
Anderson, Calif.	Goodwin	Norblad
Andrews	Gordon	Norrell
Angell	Graham	O'Brien, Ill.
Arends	Granahan	O'Brien, Mich.
Aspinall	Granger	O'Brien, N. Y.
Auchincloss	Grant	O'Hara
Ayres	Green	O'Konski
Baker	Greenwood	Osmer
Bakewell	Gregory	Ostertag
Barden	Hale	Passman
Baring	Hand	Patman
Barrett	Hardy	Patten
Bates, Mass.	Harrison, Va.	Patterson
Battle	Hart	Perkins
Beall	Havener	Philbin
Bender	Hays, Ark.	Pickett
Bennett, Fla.	Hays, Ohio	Poage
Bennett, Mich.	Heller	Polk
Bentsen	Herlong	Preston
Berry	Heslton	Price
Blatnik	Hess	Priest
Boggs, Del.	Hill	Prouty
Boggs, La.	Hillings	Rains
Bolling	Hinshaw	Ramsay
Bolton	Hoeven	Rankin
Bonner	Holfield	Reams
Bosone	Holmes	Redden
Boykin	Hope	Regan
Bramblett	Horan	Rhodes
Brown, Ga.	Howell	Ribicoff
Brownson	Hull	Riley
Bryson	Hunter	Rivers
Buchanan	Ikard	Roberts
Burnside	Irving	Robeson
Burton	Jackson, Calif.	Rodino
Bush	Jackson, Wash.	Rogers, Colo.
Byrnes	James	Rogers, Fla.
Camp	Jarman	Rogers, Mass.
Canfield	Javits	Rooney
Cannon	Jonas	Roosevelt
Carrigg	Jones, Ala.	Ross
Case	Jones, Mo.	Sadlak
Celler	Jones	Sasser
Chatham	Hamilton C.	Saylor
Chelf	Jones	Scott, Hardie
Chudoff	Woodrow W.	Scott,
Clemente	Judd	Hugh D., Jr.
Cole, Kans.	Karsten, Mo.	Secrest
Cole, N. Y.	Kean	Seely-Brown
Colmer	Kearney	Sheehan
Combs	Kearns	Shelley
Cooley	Keating	Sheppard
Cooper	Kee	Sieminski
Corbett	Kelley, Pa.	Sikes
Crosser	Kelly, N. Y.	Simpson, Pa.
Cunningham	Keogh	Sittler
Dague	Kersten, Wis.	Smith, Miss.
Davis, Ga.	Kilday	Smith, Va.
Davis, Tenn.	King, Calif.	Spence
Dawson	King, Pa.	Springer
Deane	Kirwan	Staggers
DeGraffenried	Kluczynski	Steed
Delaney	Lane	Taylor
Dempsey	Lanham	Thomas
Denton	Lantaff	Thompson, Tex.
Devereux	Larcade	Thornberry
D'Ewart	Latham	Tollefson
Dingell	Lind	Trimble
Dollinger	Lovre	Van Zandt
Dondero	Lyle	Vinson
Donohue	McCarthy	Vorys
Dorn	McConnell	Walter
Doughton	McCormack	Watts
Doyle	McCulloch	Weichel
Durham	McGrath	Wheeler
Eaton	McGuire	Whitten
Eberharter	McIntire	Wickersham
Elliott	McKinnon	Widnall
Engle	McMullen	Wier
Evins	Machrowicz	Wigglesworth
Fallon	Mack, Ill.	Willis
Feighan	Mack, Wash.	Wilson, Tex.
Fernandez	Madden	Winstead
Fisher	Mahon	Withrow
Flood	Martin, Mass.	Wolcott
Fogarty	Meador	Wolverton
Forand	Miller, Md.	Wood, Ga.
Ford	Miller, N. Y.	Yates
Forrester	Mills	Yorty
Fugate	Mitchell	Zablocki

NAYS—69

Adair	Hagen	St. George
Armstrong	Harrison, Nebr.	Schenck
Beamer	Harrison, Wyo.	Scrivner
Betts	Hoffman, Ill.	Scudder
Bishop	Hoffman, Mich.	Shafer
Bow	Jenison	Simpson, Ill.
Bray	Jenkins	Smith, Kans.
Budge	Jensen	Smith, Wis.
Buffett	Kilburn	Taber
Burleson	LeCompte	Talle
Busbey	Lucas	Teague
Chenoweth	McDonough	Thompson,
Chiperfield	McGregor	Mich.
Church	McVey	Vail
Clevenger	Martin, Iowa	Van Pelt
Cotton	Mason	Velde
Crumpacker	Miller, Nebr.	Vursell
Curtis, Mo.	Nicholson	Werdel
Curtis, Nebr.	Phillips	Wharton
Davis, Wis.	Poulson	Williams, N. Y.
George	Radwan	Wilson, Ind.
Golden	Reed, N. Y.	Wood, Idaho
Gross	Rees, Kans.	
Gwinn	Rogers, Tex.	

NOT VOTING—78

Aandahl	Elston	Morrow
Abernethy	Fenton	Miller, Calif.
Albert	Fine	Morano
Allen, Ill.	Frazier	Morgan
Andresen,	Fulton	Morris
August H.	Gore	Morrison
Anfuso	Hall	Morton
Bailey	Edwin Arthur	Nelson
Bates, Ky.	Hall	O'Neill
Beckworth	Leonard W.	O'Toole
Belcher	Halleck	Potter
Blackney	Harden	Powell
Brehm	Harris	Rabaut
Brooks	Harvey	Reece, Tenn.
Brown, Ohio	Hébert	Reed, Ill.
Buckley	Hedrick	Richards
Burdick	Heffernan	Riehlman
Butler	Herter	Sabath
Carlyle	Johnson	Short
Carnahan	Kennedy	Stanley
Coudert	Kerr	Stigler
Cox	Klein	Stockman
Crawford	Lesinski	Sutton
Denny	McMillan	Tackett
Dolliver	Magee	Welch
Donovan	Mansfield	Williams, Miss.
Ellsworth	Marshall	Woodruff

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. O'Toole with Mr. Halleck.
Mr. Rabaut with Mr. Leonard W. Hall.
Mr. Magee with Mr. Short.
Mr. Welch with Mr. Allen of Illinois.
Mr. Sabath with Mr. Coudert.
Mr. Kerr with Mr. Butler.
Mr. Klein with Mr. Brown of Ohio.
Mr. Buckley with Mr. August H. Andresen.
Mr. Anfuso with Mr. Potter.
Mr. Abernethy with Mr. Reece of Tennessee.
Mr. Albert with Mr. Fenton.
Mr. Carnahan with Mr. Crawford.
Mr. Heffernan with Mr. Nelson.
Mr. Hébert with Mr. Morrow.
Mr. Stanley with Mr. Burdick.
Mr. Stigler with Mr. Morano.
Mr. Mansfield with Mr. Brehm.
Mr. Morris with Mr. Morton.
Mr. Marshall with Mr. Denny.
Mr. O'Neill with Mr. Reed of Illinois.
Mr. Lesinski with Mr. Dolliver.
Mr. Donovan with Mr. Riehlman.
Mr. Fine with Mr. Ellsworth.
Mr. Frazier with Mr. Stockman.
Mr. Gore with Mr. Elston.
Mr. Brooks with Mr. Fulton.
Mr. Harris with Mr. Woodruff.
Mr. Bailey with Mr. Harden.
Mr. Richards with Mr. Johnson.
Mr. Kennedy with Mr. Belcher.
Mr. Bates of Kentucky with Mr. Blackney.
Mr. Cox with Mr. Herter.
Mr. McMillan with Mr. Harvey.
Mr. Powell with Mr. Edwin Arthur Hall.
Mr. Carlyle with Mr. Aandahl.

Mr. ROGERS of Texas and Mr. RADWAN changed their vote from "yea" to "nay."

Mr. O'Konski changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill just passed may have permission to revise and extend their remarks and that all Members may have five legislative days in which to extend their remarks on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter immediately after my offering of an amendment in the Committee of the Whole on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5678) entitled "An act to revise the laws relating to immigration, naturalization, and nationality, and for other purposes."

ALTERATION OF CERTAIN BRIDGES OVER NAVIGABLE RIVERS

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8127) to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. FALLON]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. FALLON. Mr. Speaker, this bill is designed to reimburse the States where alterations are made to highway bridges or in case they are moved under orders of the Federal Government for navigational purposes. For instance, if a channel is widened in a stream and it is necessary to move the structure or widen the uprights of the structure, the Federal Government makes a contribution.

Mr. MARTIN of Massachusetts. That is if the Federal Government initiates the program?

Mr. FALLON. Yes; if the Federal Government initiates the program.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 13, 1952
For actions of June 12, 1952
82nd-2nd, No. 102

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HIGHLIGHTS: Senate passed defense production bill. Senate confirmed nomination of Duggan to FCA. Senate passed bill to increase civil-service retirement annuities. Senate passed measure continuing emergency powers. Senate debate St. Lawrence waterway.

SENATE

1. **DEFENSE PRODUCTION.** Passed, 58-18, with amendments S. 2594, to amend and extend the Defense Production Act (pp. 7205-31).
2. **NOMINATION.** Unanimously confirmed the nomination of Ivy W. Duggan to be FCA Governor (p. 7254).
3. **CIVIL-SERVICE RETIREMENT.** Passed with amendments S. 2968, to increase annuities under the Civil Service Retirement Act (pp. 7239-41).
4. **EMERGENCY POWERS.** Passed with amendment H. J. Res. 477, to continue certain emergency powers, and Senate conferees were appointed (pp. 7201-2, 7233-9).
5. **ST. LAWRENCE WATERWAY.** Began debate on S. J. Res. 27, to authorize the St. Lawrence project (pp. 7231-2, 7242-51).
6. **BANKING AND CURRENCY.** Passed without amendment H. R. 6909, amending the Federal Reserve Act so as to give the Federal Reserve System authority to purchase direct obligations of the U. S. either in open market or from the Treasury Department to a total of not over \$5 billion (pp. 7241-2). This bill will now be sent to the President.
7. **PRICE MAINTENANCE.** The Interstate and Foreign Commerce Committee reported without recommendation H. R. 5767, to amend the Federal Trade Commission Act to permit minimum-price agreements, where lawful, on an intrastate basis (S. Rept. 1741) (p. 7201).
8. **IMMIGRATION.** The Rules and Administration Committee reported with an additional amendment S. Res. 326, to provide for an investigation of problems connected with

HOUSE

9. **DEFENSE PRODUCTION.** The Banking and Currency Committee was given until midnight Mon. to file a report on H. R. 6546, to amend and extend the Defense Production Act (p. 7281). It is understood that the Committee voted to include amendments to exempt farm labor from the wage-stabilization program and to exempt fresh fruits and vegetables from price control.
10. **EMERGENCY POWERS.** Passed without amendment H. J. Res. 431, extending certain emergency powers for 15 more days until June 30, 1952 (p. 7281).
11. **FARM LABOR.** Rep. Poage announced that the Mexican President had signed certain amendments to the Mexican-American Farm Labor Agreement providing, among other things, for the extension of the agreement until December 31, 1952. The agreement otherwise would have expired on June 30. (pp. 7281-2.)
12. **TAXATION; EXPENDITURES.** Rep. Tollefson spoke against heavy taxation and the high cost of running the Federal Government, and claimed that if the Federal budget is to be balanced it must be by way of reduced expenditures and not through increased tax rates (pp. 7288-90).
13. **SOCIAL SECURITY.** Rep. McCormack inserted the text of H. R. 7800, which will be taken up on Mon. under suspension of the rules. This bill provides for an increase in old-age and survivors insurance benefits, preserves insurance rights of disabled individuals, and increases amount of earnings permitted without loss of benefits. (pp. 7283-7.)
14. **ADJOURNED** until Mon., June 16 (p. 7281). **LEGISLATIVE PROGRAM**, as announced by the majority leader: Mon., consent calendar and the social security amendment bill, roll calls going over until Tues.; private calendar, a bill amending the Communications Act of 1934, and several minor bills; Wed.; defense production bill if reported out and a rule obtained; remainder of week undetermined (pp. 7280-1).

BILLS INTRODUCED

15. **BUDGET.** H. R. 8193, by Rep. McCarthy, to amend section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General more effectively to assist the Appropriations Committee in considering the budget; to Expenditures in the Executive Departments Committee (p. 7291). Remarks (pp. A3806-7).
16. **PERSONNEL.** H. R. 8195, by Rep. Murray, to amend the Act of April 23, 1930, relating to a uniform retirement date for authorized retirements of Federal personnel; to Post Office and Civil Service Committee (p. 7291).
17. **EMERGENCY POWERS.** S. J. Res. 165, by Sen. Eastland, to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war; placed on the calendar (p. 7202). Remark of author (pp. 7201-2.)

ITEMS IN APPENDIX

18. **SMOKEY BEAR.** Rep. Lane inserted a Newsweek article discussing Smokey Bear and the Forest Service, and their efforts in preventing and fighting forest fires (pp. A3832-5).



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No. 102

Senate

(Legislative day of Tuesday, June 10, 1952)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, eternal, immortal, invisible, we would hush our busy thoughts to silence as we wait for Thy word. Make us vividly aware that Thou art the living God, who didst not cease to guide and to speak when a holy book was closed centuries ago, but who today is the Kindly Light for those who will follow and who today is speaking to those who will listen. While we wrestle with the questions that have to do with the necessities for a changed world, help us to be solemnly conscious that we ourselves need to be transformed, and that unchecked selfishness can and will wreck any radiant social scheme for the rebuilding of our torn and tortured earth.

In the midst of our political, diplomatic, and economic plans and policies, give us to see the necessity of changed hearts, changed desires, changed motives, and changed objectives, if Thy kingdom is to come and Thy will be done on earth as it is in heaven. We ask it in the name of the Master of us all who, as He fronted the deepest needs of the individual and of society, declared, "You must be changed." Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 11, 1952, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 8127. An act to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes; and

H. J. Res. 477. Joint resolution to continue the effectiveness of certain statutory provisions

for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 226) authorizing changes in the enrollment of the bill (H. R. 5678) to revise the laws relating to immigration, naturalization, and nationality, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 5633. An act to approve contracts negotiated with irrigation districts on the Owyhee, Rhyverton, Milk Rivers, and Frenchtown Federal reclamation projects, to authorize their execution, and for other purposes;

H. R. 6336. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research; and

H. R. 7340. An act to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that Senators may make insertions in the Record and transact other routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HAYDEN, from the Committee on Rules and Administration:

S. Res. 326. Resolution to investigate problems connected with emigration of refugees from Western European nations; with an additional amendment (Rept. No. 1740).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. 1876. A bill to provide for the transfer of certain lands in the State of Idaho to the Idaho Ranch for Youth, Inc.; without amendment (Rept. No. 1742);

S. 2909. A bill to amend the act entitled "An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630); without amendment (Rept. No. 1743); and

H. R. 1853. A bill to authorize the granting to Kaiser Steel Corp. of rights-of-way on, over, under, through, and across certain public lands, and of patent in fee to certain other public lands; with amendments (Rept. No. 1745).

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

S. 3296. A bill to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, District of Columbia; without amendment (Rept. No. 1746); and

H. R. 5767. A bill to amend the Federal Trade Commission Act with respect to certain contracts and agreements which establish minimum or stipulated resale prices and which are extended by State law to persons who are not parties to such contracts and agreements, and for certain other purposes; without recommendation (Rept. No. 1741).

By Mr. CASE, from the Committee on the District of Columbia:

S. 3179. A bill to provide for a Delegate from the District of Columbia to the House of Representatives; without amendment (Rept. No. 1750).

CONTINUATION OF EFFECTIVENESS OF CERTAIN STATUTORY PROVISIONS—REPORT OF A COMMITTEE

Mr. EASTLAND. Mr. President, from the Committee on the Judiciary, I report favorably an original joint resolution to continue in effect certain statutory provisions for the duration of the national

emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war, and I submit a report (No. 1744) thereon.

The VICE PRESIDENT. The report will be received, and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 165) to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war, reported by Mr. EASTLAND, from the Committee on the Judiciary, was read twice by its title and placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE:

S. 3319. A bill to amend section 6 of the Longshoremen's and Harbor Workers' Compensation Act so as to provide increased benefits in cases of disabling injuries, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. GILLETTE:

S. 3320. A bill to extend the time for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.; to the Committee on Public Works.

By Mr. DIRKSEN:

S. 3321. A bill for the relief of Ami Kana-gaki and her child; to the Committee on the Judiciary.

By Mr. CASE:

S. 3322. A bill to amend the Defense Production Act of 1950, as amended; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CASE when he introduced the above bill, which appear under a separate heading.)

By Mr. MAYBANK:

S. 3323. A bill to amend title IV of the Defense Production Act of 1950, as amended; to the Committee on Labor and Public Welfare. (See the remarks of Mr. MAYBANK when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 3324. A bill to reduce from 20 to 15 years the period of service required for permissive retirement of judges of the municipal court, the municipal court of appeals, and the juvenile court, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'MAHONEY (for himself and Mr. HUNT):

S. 3325. A bill to authorize enrolled members of the Shoshone and Arapaho Tribes of the Wind River Reservation, Wyo., to acquire trust interests in tribal lands of the reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 3326. A bill for the relief of certain construction firms; to the Committee on the Judiciary.

By Mr. JENNER:

S. 3327. A bill for the relief of William B. Garner; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 3328. A bill for the relief of Josef Fotl (also known as Josef Friedman); and

S. 3329. A bill for the relief of Taeko Noguchi; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. J. Res. 165. Joint resolution to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the state of war; placed on the calendar.

(See the remarks of Mr. EASTLAND when he reported the above joint resolution, which appear under a separate heading.)

CONSTITUTION OF PUERTO RICO—AMENDMENTS

Mr. JOHNSTON of South Carolina submitted amendments intended to be proposed by him to the joint resolution (S. J. Res. 151) approving the constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952, which were ordered to lie on the table and to be printed.

HOUSE BILL REFERRED

The bill (H. R. 8127) to amend the act of June 21, 1940, relating to the alteration of certain bridges over navigable waters, so as to include highway bridges, and for other purposes, was read twice by its title and referred to the Committee on Public Works.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. CLEMENTS:

Address entitled "Living With Ourselves," delivered by Senator Morse at the commencement exercises of Centre College, Danville, Ky., June 1, 1952.

By Mr. LEHMAN:

Address prepared by him for delivery at dinner of New York County Democratic Committee, New York City, June 12, 1952.

By Mr. O'MAHONEY:

Correspondence between himself and Secretary of the Interior Oscar L. Chapman, with relation to the leasing of oil and gas deposits in the Continental Shelf.

By Mr. MAGNUSON:

Series of three articles prepared by Senator KILGORE on the subject of juvenile delinquency.

By Mr. HUMPHREY:

Article prepared by him entitled "The Case for Fair Trade."

Address delivered by Dwight R. G. Palmer, chairman of the board, General Cable Corp., at annual dinner of National Urban League and Urban League of Greater New York, on January 21, 1952.

Editorial entitled "Catholics Endorse FEPC," published in the Catholic Interracialist for June 1952.

Editorial entitled "Urge Congress Vote 'No' on McCarran-Walter Bills," published in the Michigan Catholic of May 22, 1952.

Editorial entitled "Immigrant Bill Has Race Bias," published in the Catholic Interracialist for June 1952.

Editorial entitled "Do We Hoard Liberty?" published in the Indianapolis News of May 23, 1952.

Editorial entitled "Veto the McCarran Bill," published in the Milwaukee Journal of May 23, 1952.

Letter from Michigan Committee on Immigration to Senator HUMPHREY, dated June 3, 1952, and referring to the Walter-McCarran omnibus immigration bills.

By Mr. BENTON:

Three addresses delivered on the occasion of the anniversary of Armenian independence at New Britain, Conn.

By Mr. SCHOEPEL:

Address entitled "Fair Trade Legislation," delivered by George J. Burger, vice president of the National Federation of Independent Business, at Kansas State College, Manhattan, Kans., on June 9, 1952.

By Mr. MORSE:

Editorial entitled "A Fight Against Power," published in the St. Louis Post-Dispatch of May 3, 1952.

Article entitled "Electric Power and National Security," published in the St. Louis Post-Dispatch of June 12, 1952.

By Mr. BRIDGES:

Article entitled "Koje and Washington," written by Walter Lippmann, and published in the New York Herald Tribune of June 12, 1952.

Article entitled "Rhee Regime Stops Voice of America," published in the Washington Star of June 12, 1952.

FAIR TRADE LAWS

Mr. MORSE. Mr. President, there appeared in the Portland (Oreg.) Journal of Monday, May 12, 1952, a penetrating, sound editorial entitled "Nullifying Antitrust Laws." In my judgment, the editorial presents such a strong argument against the McGuire bill that I wish to associate myself with it and make it a part of my remarks. Therefore, I ask unanimous consent to have the editorial published at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NULLIFYING ANTITRUST LAWS

Members of the Congress who holler loud and clear for the protection of the courts—when it serves their political purposes—think nothing of riding down the courts when that suits their political purposes.

Take the fair-trade laws.

Last May the Supreme Court knocked the props from under 42 State laws (including Oregon's) which require retailers to conform to price-fixing agreements between manufacturers and retailers—whether or not they are parties to such agreements.

Nothing daunted, the House now yields to the fair-trade pressure group by adopting an act once more giving legal respectability to all fair-trade acts. With no regard for anti-trust principles and the interests of consumers, it went all-out for the measure which binds nonsigners as well as signers of minimum price agreements with manufacturers.

This sorry spectacle is remindful of the willful manner in which the Congress recently overrode three previous Supreme Court decisions holding that offshore oil is vested in the United States, not California, Texas, and Louisiana. This bill, now on the President's desk, deserves the veto treatment. So does the Fair Trade Act—if it wins approval of the Senate.

All fair-trade legislation (it is anything but fair) is defended on the grounds that it helps small business by protecting it from price cutting. Child of the depression, when price cutting was a problem for small retailers, it has no place in a normal economy and it is particularly objectionable in these inflated times, because it is essentially inflationary. Retailers who support it seem to forget that when you "build in" high prices, you tend to price yourself right out of the market.

will be privileged, and any agreement which is entered into will be temporarily set aside.

I hope the distinguished Senator from California [Mr. KNOWLAND] will not object at this time, because the proposed unanimous-consent agreement would not interfere with the war powers measure at all.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. I merely made a temporary objection in order that I might have an opportunity for some consultation. I am only temporarily acting as minority leader during the absence of the minority leader, and I desired to have opportunity for consultation.

Mr. McFARLAND. I hope the distinguished Senator from California will be able to reach a decision within the next few minutes. Senators on both sides of the aisle would like to know when the St. Lawrence seaway measure will be voted upon.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. I think there should be no undue delay in connection with the war powers measure. When that is out of the way, if the Senator will renew his request, or have some Senator renew it for him, probably we can arrive at some agreement.

I ask the distinguished Senator from Arizona what decision, if any, the Democratic policy committee and he have made relative to the statehood for Hawaii bill, with respect to which both great parties have declared their interest and support. I also ask whether the statehood for Hawaii bill is on the list of bills to be considered at this session of Congress.

Mr. McFARLAND. We gave considerable time to one of those bills. What further consideration is to be given will depend on when the Congress adjourns.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. McFARLAND. I yield.

Mr. KNOWLAND. As of the present time, has the Democratic policy committee listed the statehood for Hawaii bill for consideration by the Senate, in conformity with the pledges in the party platforms of both great political parties?

Mr. McFARLAND. I do not wish to enter into a discussion of political platforms. I did not help to write the platforms.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. McKELLAR. At least three appropriation bills will be ready for consideration by the Senate next week. I want the majority leader and the Senate to bear that in mind. Let us get through with them as soon as possible.

Mr. McFARLAND. We are waiting for them. The Senator from Tennessee brings us good news.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. ELLENDER. Am I to understand that the distinguished majority leader intends to submit a unanimous-consent agreement to take up the St. Lawrence seaway measure this afternoon?

Mr. McFARLAND. We had hoped to fix a time to vote.

Mr. ELLENDER. If a unanimous-consent agreement to vote at a specified time is proposed, I wish to say that if the Senator from California [Mr. KNOWLAND] does not object, I will. I hope the majority leader will not again ask for a limitation of debate on that measure. I expect to object at any time such a request is submitted.

Mr. BUTLER of Maryland. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. BUTLER of Maryland. Mr. President, I wish to file a permanent objection to any limitation of time, at any time, in connection with the St. Lawrence seaway measure.

Mr. MOODY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MOODY. I and other Senators who are interested in the St. Lawrence seaway project are very grateful to the majority leader for calling up that measure. He gave his word that he would call it up before the conclusion of the session, and in such a way that it could be voted upon. He is a man of his word, and he has kept his word. I join my colleague [Mr. FERGUSON] in urging that the majority leader renew his unanimous-consent request so as to reach a vote early next week.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. LEHMAN. I wish to associate myself with the remarks of the Senator from Michigan. I believe the proposal of the distinguished majority leader with regard to the limitation of debate was eminently fair, and I very much hope it will be agreed to.

EMERGENCY POWERS CONTINUATION ACT

The PRESIDING OFFICER (Mr. O'CONNOR in the chair). The Chair lays before the Senate a joint resolution coming over from the House of Representatives. The joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, was read twice by its title.

Mr. EASTLAND. Mr. President, I ask unanimous consent for the present consideration of House Joint Resolution 477.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. KNOWLAND. Mr. President, reserving the right to object—and I do not intend to object—I merely wish to make clear the parliamentary situation. The Senator from Mississippi is now requesting only unanimous consent to proceed to the consideration of the joint resolution, as I understand.

Mr. EASTLAND. That is correct.

Mr. KNOWLAND. It is not proposed to pass it at this time, is it? As I understand, it will be discussed and debated.

Mr. EASTLAND. The unanimous-consent request is merely to take it up. Then the Senator from Mississippi intends to offer a substitute, which has been reported by the Committee on the Judiciary.

Mr. KNOWLAND. On behalf of my colleague [Mr. NIXON] and myself, I wish to say to the able Senator from Mississippi that we intend to offer to House Joint Resolution 477 the same amendment which was ruled to be not germane with respect to the previous bill. We shall offer that amendment to the joint resolution. I wished to have it clear, from a parliamentary standpoint, that that could be done.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953.

Mr. EASTLAND. Mr. President, I offer an amendment in the nature of a substitute, to strike out all after the resolving clause and insert in lieu thereof the provisions of Senate Joint Resolution 129, reported today by the Committee on the Judiciary.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. Is the substitute subject to amendment?

The PRESIDING OFFICER. It is subject to amendment before being voted upon.

Mr. FERGUSON. It is subject to amendment before being voted upon; but if it is adopted as a part of the joint resolution, then, of course, it will not be.

The PRESIDING OFFICER. The Senator from Mississippi offers an amendment to strike out all after the resolving clause and insert the text of a substitute which the clerk will read.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the reading of the substitute be dispensed with.

The PRESIDING OFFICER. Without objection, the reading will be dispensed with. Without objection, the substitute will be printed in the RECORD, at this point.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Whereas the state of war with Japan is the last declared state of war to which the United States is a party and the termination thereof and of the national emergencies proclaimed in 1939 and 1941 would render certain statutory provisions inoperative; and

Whereas some of these statutory provisions are needed to insure the national security and the capacity of the United States to support the United Nations in its efforts to es-

establish and maintain world peace: Now, therefore, be it

Resolved, etc., That, notwithstanding the termination of the war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

(a) The following statutory provisions shall remain in full force and effect until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950 (C. F. R., 1950 Supp. to title 3, p. 71), or until such earlier date or dates as the Congress by concurrent resolution either generally or for a particular statutory provision or the President either generally by proclamation or for a particular statutory provision may provide, but in no event beyond June 30, 1953, any other terminal date or provision of law with respect thereto to the contrary notwithstanding.

(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201).

(2) Act of May 18, 1933 (ch. 32, sec. 5 (m), 48 Stat. 62; 16 U. S. C. 831d (m)).

(3) Act of March 27, 1942 (ch. 199, secs. 1301-1304, 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

(4) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

(5) Act of June 22, 1944 (ch. 268, sec. 102, 58 Stat. 285), as amended (38 U. S. C. 693b). Any detail made hereunder may extend until 6 months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date as the Congress by concurrent resolution or the President may provide.

(6) Act of June 24, 1948 (ch. 625, sec. 4 (d), 62 Stat. 607), as amended (50 U. S. C. App. 454 (d)).

(7) Act of July 2, 1940 (ch. 508, secs. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 776, 1171 (a), 1171 (b)).

(8) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

(9) Act of July 1, 1944 (ch. 373, secs. 212, 213, and 216, 58 Stat. 689-691; 42 U. S. C. 213, 214, and 217).

(10) Act of January 2, 1942 (ch. 645, sec. 7), as added by the act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 2241).

(11) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

(12) Act of March 7, 1942 (ch. 166, secs. 1-12, 14, 15, 56 Stat. 143-147), as amended, and as extended by section 4 (e) of the act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 1001-1012, 1014, 1015).

(13) Act of December 4, 1942 (ch. 674, secs. 2 and 3, 56 Stat. 1039; 10 U. S. C. 904b, 904c).

(14) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

(15) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

(16) Act of September 16, 1942 (ch. 561, secs. 1-3, 56 Stat. 753), as amended (50 U. S. C. 301-303).

(17) Act of June 25, 1942 (ch. 447, 56 Stat. 390-391; 50 U. S. C. App. 781-785).

(18) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said act of Oc-

tober 14, 1940, continue to exist during the continuance of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date as the Congress by concurrent resolution or the President may provide, but in no event beyond June 30, 1953.

(19) The paragraph designated "(2)" which was inserted into the act of March 3, 1909 (ch. 255, 35 Stat. 753), by the act of April 9, 1943 (ch. 39, 57 Stat. 60; 34 U. S. C. 533).

(20) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

(21) Act of December 23, 1944 (ch. 716, 58 Stat. 921-922; 50 U. S. C. App. 1705-1707).

(22) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

(23) Act of December 22, 1942 (ch. 803, 56 Stat. 1071; 48 U. S. C. 510 note).

(24) Act of October 17, 1940 (ch. 888, sec. 512, 54 Stat. 1190), as amended (50 U. S. C. App. 572).

(25) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

(26) Act of August 29, 1916 (ch. 417, 39 Stat. 604; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

(27) Act of August 29, 1916 (ch. 418, sec. 1, 39 Stat. 645; 10 U. S. C. 1361); and the President may exercise his authority thereunder through such officers or agencies as he may designate.

(28) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

(29) Act of February 4, 1887 (ch. 104, sec. 420), as added by act of May 16, 1942 (ch. 318, sec. 1, 54 Stat. 284, 298; 49 U. S. C. 1020), insofar as it refers to section 1 (15) of said act of February 4, 1887, as amended.

(30) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245), as amended (50 U. S. C. App. 1271-1275).

(31) Title 18, United States Code, sections 794, 2153, 2154, and 2388.

(32) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223-226b).

(33) Act of October 31, 1942 (ch. 634, secs. 1 and 2, 56 Stat. 1013; 35 U. S. C. 89, 90).

(34) Act of July 1, 1944 (ch. 373, sec. 211 (c), 58 Stat. 688), as amended (42 U. S. C. 212 (c)).

(b) The following statutory provisions which are normally operative in time of peace shall not become operative upon the termination of the state of war with Japan but rather shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond June 30, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

(1) Those portions of section 37 of the act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.

(2) The second sentence of section 40b of the act of June 3, 1916, as added by section 33 of the act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 8501).

(4) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

(5) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

(6) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

(c) The President is hereby authorized to continue in effect for the duration of the national emergency proclaimed by the President on December 16, 1950, and for 6 months thereafter all appointments under the provisions of sections 37 and 38 of the act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), and section 127a of said act as added by the act of June 4, 1920 (ch. 227 (41 Stat. 785)), as amended (10 U. S. C. 358, 32 U. S. C. 19, 10 U. S. C. 513); section 515 (e) of the act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)); and section 3 of the act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a), which are in effect on the date of the approval of this act as officers and warrant officers of the Army of the United States and as officers and warrant officers of the United States Air Force, including appointments as officers and warrant officers in the Organized Reserve Corps, the Air Force Reserve, the National Guard of the United States, and the Air National Guard of the United States, any other provision of law to the contrary notwithstanding.

(d) For the purpose of section 1 of the act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), and for the purpose of section 2 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e), the date of the termination of a time of war and the establishment of peace shall be the date which the President shall prescribe for those purposes, notwithstanding any other termination of war or establishment of peace.

(e) For the purpose of section 1 of the act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), and for the purpose of section 1 of the act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d), the date of the termination of a time of war and the establishment of peace shall, with respect to accidents or incidents occurring after June 23, 1950, to be the date which the President shall prescribe for those purposes, notwithstanding any other termination of war or establishment of peace.

Sec. 2. (a) The performance or occurrence, before 6 months after the termination of the national emergency proclaimed on December 16, 1950, or such earlier dates as the Congress by concurrent resolution or the President may provide, and not later than June 30, 1953, either generally or for a particular statutory provision, of acts or events of the kind giving rise to rights, benefits, or disabilities under a statutory provision cited in subsection (b) of this section shall, for the purpose of that statutory provision, give rise to the same rights, benefits, or disabilities as the performance or occurrence of those acts or events during the existing state of war.

(b) The statutory provisions referred to in subsection (a) of this section are the following:

(1) Act of December 2, 1942 (ch. 668, 56 Stat. 1028-1036), as amended (42 U. S. C. 1701-1706, 1711-1717).

(2) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59 Stat. 505; 5 U. S. C. 801).

(3) Act of October 17, 1942 (ch. 615, sec. 1, 56 Stat. 796; 36 U. S. C. 179).

(4) Act of August 1, 1947 (ch. 426, secs. 1 and 2, 61 Stat. 710; 36 U. S. C. 182a and 182b).

(5) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

(6) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

(7) Act of September 27, 1944 (ch. 421, sec. 1, 58 Stat. 747), as amended (43 U. S. C. 279).

(8) Act of December 21, 1928 (ch. 42, sec. 9, 45 Stat. 1063), as amended (43 U. S. C. 617h).

(9) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

(10) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

(11) Title 28, United States Code, section 2680 (j).

(c) The 10-year period provided for in section 4 of the act of September 27, 1944, cited in paragraph (7) of subsection (b) of this section, is extended to 2 years following the period of the national emergency proclaimed on December 16, 1950, or to such shorter period as the Congress by concurrent resolution or the President may provide.

Sec. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this act is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

Sec. 4. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 5. The act entitled "An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war," approved August 7, 1946, as amended (the War Contractor's Relief Act), is amended by adding at the end thereof three new sections as follows:

"Sec. 7. Within the limitations stated in this act and no others—

"(1) for the purposes of this section and except as otherwise provided by paragraph (5) hereof, all departments, agencies, or the heads or duly designated representatives thereof authorized to consider, adjust, and settle claims under this act are hereby directed, on request filed not more than sixty days after the date of enactment of this section and after affording claimants reasonable opportunity to amend or supplement their claims, to reconsider claims heretofore filed in accordance with the provisions of this act and rejected or disallowed in whole or part;

"(2) notwithstanding anything in section 3 of this act with reference to the necessity of a request for relief filed on or before August 14, 1945, claims otherwise payable under this act shall be allowed to the extent that they include losses with respect to which in a writing submitted to a department or agency concerned on or before August 14, 1945, the claimant (a) requested relief available under the First War Powers Act, whether relief was requested as of right or as of grace, (b) demanded payment thereof, or (c) gave notice of such sustained or impending loss; but nothing in this paragraph shall be taken to limit or exclude other requests for relief otherwise sufficient under section 3 of this act;

"(3) claims otherwise payable under this act as amended shall include those of subcontractors on the same basis as the claims of prime contractors if the request for relief, demand for payment, or notice of sustained or impending loss required by section 3 of this act or defined by paragraph (2) of this section was submitted in writing by such claimants on or before August 14, 1945, to either (a) a department or agency concerned or (b) the prime contractor or other subcontractor involved;

"(4) claims otherwise allowable under this act as amended shall include reasonable compensation for the services of working partners and proprietors of unincorporated claimants during the period of performance of the contracts or subcontracts involved;

"(5) the jurisdiction of courts over suits pending under this act on the date of enactment of this section is hereby preserved and, notwithstanding paragraph (1) of this

section, no plaintiff in such action shall be required either to present his claim again to the department or agency concerned or to begin his action in court anew; but nothing in this act or amendment shall prevent any department or agency, in agreement with the plaintiff claimant from reconsidering any claim for the purpose of paying it or entering into an agreement for the compromise or settlement of the whole or any part thereof and, to the extent that hereafter such payments are made or such settlements are executed pursuant to any such agreement, court actions shall thereupon be limited accordingly or dismissed as the case may be;

"(6) where necessary to effectuate the purposes of this section the court in any case heretofore filed under this act shall, upon motion filed by the plaintiff not more than 60 days after the date of enactment of this section, (a) permit the plaintiff to amend his claim or pleadings, (b) vacate any adverse judgment or ruling, or (c) revive the action; but nothing in this paragraph shall be deemed to require any plaintiff to seek any such action where it is unnecessary for the preservation of his rights under this act and section in accordance with the existing practice, procedure, or course of judicial proceedings; and

"(7) as used in this act, as amended, the terms 'contractors,' 'subcontractors,' and 'materialmen' include individuals, partnerships, joint ventures, business associations, and corporations and mean with respect to partnerships, joint ventures, or business associations, the partnerships, joint ventures, or business associations themselves, and not the individual members thereof.

"Sec. 8. The provisions of this act, except section 7 (1), shall be applicable where work, supplies, or services have been furnished under a contract or subcontract between August 15, 1945, and December 15, 1950, in the same manner and to the same extent, so far as practicable, as in the case of work, supplies, or services furnished between September 16, 1940, and August 14, 1945. For the purpose of applying the provisions of this act to such work, supplies, or services—

"(a) references in the first seven sections of this act to September 16, 1940, shall refer to August 15, 1945;

"(b) references in the first seven sections of this act to August 14, 1945, shall refer to December 15, 1950;

"(c) references in the first seven sections of this act to 'the date of approval of this act' shall refer to the date of enactment of this section;

"(d) the requirements of section 3, as modified by section 7 (2), relating to the time for filing a request for relief, demand for payment, or notice of sustained or impending loss, shall be fulfilled if such request, demand, or notice is filed within 6 months after the date of enactment of this section; and

"(e) the provisions of this act shall be applied as if section 7 other than paragraph (1) thereof had been enacted as an original part of this act.

"Sec. 9. Upon the termination of the national emergency proclaimed by the President on December 16, 1950, the provisions of this act, except section 7 (1), shall be applicable where work, supplies, or services shall have been furnished under a contract or subcontract between December 16, 1950, and the date of termination of such national emergency, in the same manner and to the same extent, so far as practicable, as in the case of work, supplies, and services furnished between September 16, 1940, and August 14, 1945. For the purpose of applying the provisions of this act to such work, supplies, and services—

"(a) references in the first seven sections of this act to September 16, 1940, shall refer to December 16, 1950;

"(b) references in the first seven sections of this act to August 14, 1945, shall refer to the date of termination of the national emergency proclaimed by the President on December 16, 1950;

"(c) references in the first seven sections of this act to 'the date of approval of this act' shall refer to the date of termination of the national emergency proclaimed by the President on December 16, 1950;

"(d) the requirements of section 3, as modified by section 7 (2), relating to the time for filing a request for relief, demand for payment, or notice of sustained or impending loss, shall be fulfilled if such request, demand, or notice is filed within 3 months after the date of termination of the national emergency proclaimed by the President on December 16, 1950; and

"(e) the provisions of this act shall be applied as if section 7 other than paragraph (1) thereof had been enacted as an original part of this act."

Sec. 6. Section 3 (c) of the Export Control Act of 1949 (50 U. S. C. App. 2021-2032) is amended by inserting a colon in lieu of a period at the end of the section and adding the following: "Provided, That in the absence of a state of war hereafter declared by the Congress the authority conferred by this section to prohibit or curtail the quantity of cotton which may be exported shall not be exercised if it is estimated that the carry-over at the end of the marketing year will be in excess of 2,000,000 bales and such authority if exercised shall be administered in such a manner as to provide an estimated carry-over of 2,000,000 bales. Not less than once each month the Secretary of Agriculture shall determine and publish the estimated carry-over of cotton at the end of the marketing year, and the basis upon which the estimate is made. The authority conferred by this section to limit the quantity of cotton shall be exercised only during a period of national emergency: *Provided further*, That nothing contained in this section shall be deemed to limit the President in carrying out foreign policy or national security objectives by restricting the nations to which cotton may be exported."

Sec. 7. Nothing contained herein shall be construed to authorize seizure by the Government of any privately owned plants or facilities under the authority of any act herein extended except as any such act may specifically provide therefor.

Sec. 8. This act may be cited as the "Emergency Powers Continuation Act."

Mr. EASTLAND. Mr. President, I should like to explain the substitute.

Mr. FERGUSON. Mr. President, I offer an amendment to the Eastland substitute, on page 8, to strike out lines 1 to 20, inclusive. The purpose of doing so is to get that particular section before the conference committee. I wonder whether the Senator has any objection to accepting my amendment to the substitute, in order that that subject may be in conference.

Mr. EASTLAND. I will accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] to the amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. EASTLAND. Mr. President, the substitute extends the present War Powers Act, with certain exceptions. First, the extension is limited in any event to June 30, 1953; second, the substitute provides that no authority is conferred upon

the Executive to seize or operate any industry, plant, or facility in the United States. There are two other amendments.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAGNUSON. Does it include public utilities?

Mr. EASTLAND. Yes; it includes public utilities.

Mr. MAGNUSON. Does it nullify the seizure of the railroads?

Mr. EASTLAND. There is express authority in the measure for the President to operate the railroads. The strike has been settled, and he no longer operates them. I understood that both management and labor wanted that provision repealed. The House has repealed it, as I understand, at the request of the brotherhoods and the railroad companies.

Mr. MAGNUSON. The Senator from Mississippi will recall that the Judiciary Committee, in the extension of the Second War Powers Act, unanimously decided that the President shall not have authority to seize any industry other than public utilities.

Mr. EASTLAND. That is correct.

Mr. MAGNUSON. That provision has been changed?

Mr. EASTLAND. Certain public utilities, for example, power companies, thought it constituted implied authority on the part of the Executive to seize them. Therefore, the provision was changed.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HUMPHREY. What would the country do if the railroads were tied up and there was no way of settling the dispute involved?

Mr. EASTLAND. I thought I made it clear that the substitute contains a provision expressly authorizing the seizure and operation of the railroads. It was eliminated by the House. The substitute contains the provision:

The President, in time of war, is empowered, through the Secretary of War, to take possession of and control and transportation system, or any part thereof, and utilize it to the exclusion, as far as necessary, of all other traffic for the movement of troops, war materials, and equipment, and for such other purposes of an emergency as may be needful or desirable.

Mr. HUMPHREY. Does the Senator from Mississippi consider the present situation a war?

Mr. EASTLAND. It is under this provision that the President of the United States operated the railroads for 2 years.

Mr. HUMPHREY. That is the point I wanted to have clarified, namely, that the provision is identical to or similar to the provision under the old War Powers Act.

Mr. EASTLAND. It the same provision. I said the House had eliminated it; but it is contained in the Senate joint resolution which I have offered as a substitute.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAGNUSON. It does not apply, however, except to railroads.

Mr. EASTLAND. That is correct.

Mr. MAGNUSON. It does not apply to other utilities?

Mr. EASTLAND. It applies to transportation, not to other public utilities.

Mr. MAGNUSON. Not to communications or power?

Mr. EASTLAND. It applies to transportation.

Mr. MAGNUSON. It is contrary to the unanimous judgment of the Senate Committee on the Judiciary.

Mr. EASTLAND. The Senator from Washington says it is contrary to the unanimous judgment of the Committee on the Judiciary. The change was made unanimously by the Judiciary Committee of the Senate.

Mr. MAGNUSON. The Senator will recall that the committee did include such a provision in the measure.

Mr. EASTLAND. That was placed in a temporary extension. The provision I have read was placed in the joint resolution unanimously by the committee.

Mr. MAGNUSON. So that the point may be clear, if the joint resolution is passed, the President will have no authority under any circumstances, other than in the case of a declaration of war, to seize or take over any public utility?

Mr. EASTLAND. No; that is incorrect. He will not have the authority to seize or operate any public utility except transportation utilities.

Mr. MAGNUSON. It does not mention railroads. It says transportation.

Mr. EASTLAND. Transportation. But under that identical authority the railroads have been operated for 2 years.

Mr. MAGNUSON. That is correct.

Mr. EASTLAND. Aside from that amendment, I believe no other provision in the bill is controversial. I will read the provisions:

First. Providing for the acquisition and operation of buildings and facilities.

Second. Prohibition against the sale of Tennessee Valley Authority products for use outside the United States except to its allies in case of war.

Third. Authority of Government officials or agencies designated by the President to inspect plants and books of war contractors.

Fourth. Authorization to destroy records situated abroad.

Fifth. Authorization for detailing Armed Forces personnel to the Veterans' Administration.

Sixth. Entertainment and instruction of Army and Air Force enlisted personnel.

Seventh. Contracts for Army and Navy facilities.

Mr. President, those are typical of the powers which are renewed until June 30 of next year.

I judge there could not be any controversy as to any of them. The measure contains two other amendments. One amendment authorizes the executive department to make whole a contractor who, through no fault of his own, lost money.

That is the same right a contractor had during World War II. It merely gives him the same right as in the emergency which existed before.

The other amendment provides that in the case of cotton, export controls cannot be invoked when there is a surplus of 2,000,000 bales of cotton in the United States.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. CORDON. Mr. President, the Senator from Oregon is confused as to what is before the Senate at this time. Is the Senator from Mississippi presenting an amendment for himself or is he presenting something on behalf of the committee?

Mr. EASTLAND. I am presenting a substitute on behalf of the Committee on the Judiciary.

Mr. CORDON. Has such substitute been printed, and is there a report on it available?

Mr. EASTLAND. It was filed with a report.

Mr. CORDON. When was it filed?

Mr. EASTLAND. Today.

Mr. CORDON. In other words, the Senator is now discussing an amendment which he expects to offer when the report is before the Senate?

Mr. EASTLAND. I have offered the substitute to the House joint resolution.

Mr. CORDON. My understanding is that a report from a committee must lie over a day before consideration of it can be had on the floor of the Senate.

Mr. EASTLAND. House Joint Resolution 477 passed the House and came over from the House today. On behalf of the Judiciary Committee, I have offered a substitute to the House joint resolution, and I am discussing that substitute.

Mr. CASE. Mr. President, will the Senator from Mississippi yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Dakota?

Mr. EASTLAND. I yield.

Mr. CASE. A moment ago the Senator from Mississippi spoke of a proposal to give the President power to make whole contractors who had sustained certain losses. In what respect is it proposed that the President be given the power to make them whole, and for what losses?

Mr. EASTLAND. For losses incurred through no negligence or fault of their own.

Mr. CASE. For losses on contracts with the Government?

Mr. EASTLAND. Yes.

Mr. CASE. How would the President be able to make them whole?

Mr. EASTLAND. The procedure would be the same as that provided for under the Lucas Act, which was enacted during World War II.

Mr. CASE. I recall that some question arose as to how that act operated and whether certain tax benefits accrued to Government contractors by reason of losses they sustained in private operations, and whether they were permitted to make themselves whole by means of Government contracts. If that is the case, I think perhaps the matter should be explored a little further and

we should know exactly what we are doing.

Mr. EASTLAND. Of course, that is not correct.

Mr. CASE. Just what is the proposed power or the provision? Is a printed copy of the Senate joint resolution available?

Mr. EASTLAND. It was filed with the substitute. The provision is that of the old Lucas Act, under which if a contractor suffers a loss through no fault of his own, he can be made whole, taking into consideration taxes and all other items.

Mr. CASE. What the Senator from Mississippi says does not reassure me very much. If a contractor can be made whole by means of certain tax benefits, for losses which he sustained in private operations, and can be made whole by means of some association he may have incident to a Government contract, I think such a power should not be extended.

Mr. EASTLAND. Of course a contractor could not do what the Senator suggests. Any loss a contractor sustains from private operations would not be deductible and would not be considered by the Government, and no such authority is proposed to be conveyed.

Mr. CASE. I do not intend to interrupt too much the presentation the Senator from Mississippi is making of this point. I understand that an effort is being made to obtain copies of the joint resolution for the Members of the Senate, to enable them to study this measure. In the absence of copies of the joint resolution, I believe it would be very questionable for us to accept, sight unseen, a measure proposing such an extension of powers as is described in such broad terms to the Members of the Senate.

Mr. KNOWLAND. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. KNOWLAND. I should like to have one matter cleared up. I noticed on the teletype in the anteroom what appeared to be a statement by the chairman of the Judiciary Committee that a measure to provide for a temporary, 15-day extension was being reported from his committee. Is that the measure to which the Senator from Mississippi has been referring?

Mr. EASTLAND. No.

Mr. KNOWLAND. How long would this measure run?

Mr. EASTLAND. Until June 30, 1953.

Mr. KNOWLAND. Then I must have misunderstood. I thought the teletype statement was to the effect that due to the fact that additional time was needed to study the measure, a 15-day extension was being requested.

Mr. EASTLAND. No. In the committee we offered such an amendment yesterday, when we did not believe the House would pass the joint resolution yesterday. However, when the House passed the joint resolution, and after it came to the Senate, we called up the Senate joint resolution and moved to have the text of the Senate joint resolution substituted, inasmuch as it is practically the same, except for the two amendments to which I have referred.

Mr. KNOWLAND. My misunderstanding was not due to anything said by the Senator from Mississippi; I evidently misinterpreted the statement carried on the teletype.

If I had realized that this joint resolution was a long-term measure, I probably would have objected temporarily, until we could have had some consultation, because the Senator from Oregon [Mr. MORSE] and some other Senators have raised a point relative to the availability of copies of the report on a measure, for examination by Senators, before action is taken on the joint resolution.

Because I believed the joint resolution provided for only a 15-day extension, I did not think it was so important as it now appears to be.

Mr. MAGNUSON. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. MAGNUSON. I am somewhat confused, too, about this matter, and I am somewhat adversely concerned about the failure to allow, in time of emergency, seizure of public utilities—not only transportation facilities, but particularly power facilities.

In this case I am somewhat confused about the proposed legislative procedure. If the joint resolution passed the House yesterday and if it has just come to the Senate, how can it be that the Senator from Mississippi says that on behalf of the Judiciary Committee he is offering a substitute? I am a member of that committee; and how can it be that the committee has already voted to offer a substitute for a joint resolution which passed the House just yesterday and has just come to the Senate?

Mr. EASTLAND. The Senator has been out of town. I offered a substitute.

Mr. MAGNUSON. But that was before the House passed the joint resolution.

Mr. EASTLAND. Yes.

Mr. MAGNUSON. How could the committee determine to propose a substitute for a joint resolution which had not been passed?

Mr. EASTLAND. I was instructed by the chairman of the committee to offer the substitute. The joint resolution was approved unanimously by the Judiciary Committee.

Mr. MAGNUSON. Does the Senator from Mississippi mean the Senate joint resolution was approved?

Mr. EASTLAND. Yes.

Mr. MAGNUSON. How could it be approved as a substitute for a House joint resolution which had not then even been passed by the House?

Mr. EASTLAND. The committee considered the similar Senate joint resolution which has been offered as a substitute for the House joint resolution.

Mr. MAGNUSON. The measure now being offered as a substitute is a Senate joint resolution; is that correct?

Mr. EASTLAND. Yes.

Mr. HUMPHREY. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. HUMPHREY. Mr. President, this procedure is most unusual. We are discussing a war powers act which would give the President tremendous powers, and we do not even have copies of the committee report, and we do not even have a copy of the substitute proposal.

It is simply inconceivable to me that we would proceed to legislate in this manner. It seems to me we should postpone action on this measure until tomorrow, until we can ascertain what it is.

I have all the respect in the world for presentations made by the Senator from Mississippi; but the simple fact of the matter is that in connection with such technical measure as this, we must have something to examine and to study.

Mr. EASTLAND. Very well. The present act will expire next Monday. After the joint resolution is passed by the Senate, there must be a conference between the House and the Senate.

Of course, if there is objection, we cannot proceed at this time to consider the joint resolution.

On the other hand, we must not permit the act to expire.

Mr. President, I now move—

Mr. HUMPHREY. Suppose we wait until Monday.

Mr. EASTLAND. No, because on next Monday, June 16, the present law will have expired.

I do not know how else the matter could have been handled.

Mr. KNOWLAND. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. KNOWLAND. Would not the suggestion which I understood had been made earlier by the chairman of the Judiciary Committee, and about which I had read on the teletype, be taken care of by means of the adoption of a resolution extending for 15 days the War Powers Act? By that means we would give the Senate time to study this matter.

Mr. EASTLAND. Yes. However, I was informed by the House—and this is the reason why this matter has been brought up today—that in all probability such a resolution would not be adopted by the House because of the absence of certain Members of the House. So I was advised by members of the House Judiciary Committee to move to have the Senate proceed to consider this joint resolution.

Mr. CASE. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. CASE. Regardless of what may be the parliamentary situation in the other body, it seems to me it is asking too much of the Senate to request it to approve the extension of war powers when we do not know what those powers are.

I do not know whether there is any relationship between the measure now under discussion and the talk about providing an additional \$10,000,000 for some ships that are being built. On the other hand, if the President can make a contractor whole in the case of losses which he has suffered, presumably the President has power comparable to the power

to say to a contractor who has lost \$10,000,000, "I make it good to you." However, when we are asked in what way that is proposed to be done, we are not given a very definite answer. Certainly I do not believe we should proceed to legislate in that way.

Mr. EASTLAND. Very well; if the Senator from South Dakota will move or will offer a motion to strike out those provisions, I will accept it.

Mr. CASE. Does the Senator from Mississippi mean an amendment to the particular part of the joint resolution which would permit the President to make good the losses?

Mr. EASTLAND. That amendment was submitted by the Senator from Nevada [Mr. McCARRAN].

Certainly we must obtain prompt action on the joint resolution unless the act is to be permitted to expire.

It is immaterial to me. If there is objection to it, that is one thing. If there are questions about it, I shall try to answer them.

Mr. CORDON. Mr. President, will the Senator from Mississippi yield to me?

Mr. EASTLAND. I yield.

Mr. CORDON. The Senator from Mississippi seems to be reading from a printed copy of something or other. Is a printed copy of an amendment, or of anything else by which we may advise ourselves whether we are coming or going, available to the other Members of the Senate?

Mr. EASTLAND. Certainly the committee print is available.

Mr. CORDON. Is the Senator from Mississippi saying that the committee print is available or that it would be available?

Mr. EASTLAND. Certainly it is available.

Mr. CORDON. Where can we secure copies of the committee print?

Mr. CASE. Mr. President, a little while ago I asked for a copy, but I was advised that none was available.

Mr. HUMPHREY. The only thing available is the House joint resolution.

Mr. CASE. I understand that the House joint resolution is the only thing that is available, but the text of that joint resolution is proposed to be stricken out by a substitute which has been mentioned. Let me ask whether we may have copies of the proposed substitute, so that we can see what is actually proposed.

Mr. EASTLAND. I cannot personally deliver copies to each of my colleagues. I do not know where the copies are, for I am not the custodian of the copies. The committee clerk tells me he has sent for copies.

Mr. CORDON. That is all right. We will wait.

Mr. CASE. Mr. President, will the Senator from Mississippi yield to me now?

Mr. EASTLAND. I yield.

Mr. CASE. I may say to the Senator from Mississippi that a page has just now handed me House Joint Resolution 477, as introduced in the House of Representatives; but in handing it to me, the page said, "This is not a copy of the joint resolution as it passed the House; it is a

copy of the joint resolution as it was presented to the House." As I understand the legislative situation, we are asked to substitute for the joint resolution which was passed by the House an amendment which has been reported by the Senate Judiciary Committee. We do not even have a copy of the joint resolution as it passed the House, must less a copy of the joint resolution reported by the Senate Judiciary Committee.

Mr. EASTLAND. The Senate measure is identically the same as the one which the Senator from South Dakota has in his hand, excepting for the two committee amendments which I was discussing.

Mr. CASE. And the two committee amendments propose to do what to the House text?

Mr. EASTLAND. One amendment contains the provisions of the Lucas Act, and if the Senator objects to that, it will have to come out, because I do not think the present act can be permitted to die. Therefore, the joint resolution must be passed.

Mr. CASE. Can the Senator advise me where, in the committee print of the Senate joint resolution, the Lucas amendment appears?

Mr. EASTLAND. It appears in section 5, on page 11.

Mr. CASE. Mr. President, if the Senator will yield, section 5 on page 11 reads:

The act entitled "An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war," approved August 7, 1946, as amended (the War Contractor's Relief Act), is amended by adding at the end thereof three new sections, as follows—

There then follow several pages, and what the Senator suggests is that the question I raised with respect to that particular section would be answered by eliminating section 5 from the joint resolution.

Mr. EASTLAND. I may say the amendment is of no great consequence, and certainly it will not hurt anyone; but if the Senator makes a point of it, I will accept a motion to delete it.

Mr. CASE. Without prejudice to the action of the Senator or to my own action with respect to the remainder of the joint resolution, I move that section 5 be eliminated, which, in the committee print, extends from line 20 on page 11, to and through line 3 on page 17.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. EASTLAND. Wait a minute. What line is it?

Mr. CASE. To line 3, on page 17.

Mr. EASTLAND. Oh, no; the Senator is taking in part of another section.

Mr. CASE. Section 6 immediately follows.

Mr. EASTLAND. Very well, just so that section 6 is not affected. I wanted to discuss that section.

Mr. HUMPHREY. Mr. President, I want to vote on this measure. That is why I have been staying here. But I venture to say there is not one Senator besides the Senator from Mississippi who knows what is in this joint resolution, and I think the only thing to do is to

move to lay it aside until we get printed copies of it as it passed the House, printed copies of the joint resolution in the nature of a substitute as it came from the Judiciary Committee, and a printed copy of the report, so that we may know what we are doing. I so move.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota.

Mr. EASTLAND. Mr. President, the present act will expire next Monday. Unless this measure is passed in the meantime the President certainly will be embarrassed. We are working under pressure. The joint resolution has been brought up today because we were told by the House that it was not practical to obtain a 2-week extension. I read a number of the provisions of this joint resolution regarding the powers conferred. Those provisions certainly are not controversial.

Mr. ANDERSON. Mr. President, if the Senator will yield, why does he not then send to the House a resolution proposing a simple 2-weeks extension? The House has passed the joint resolution.

Mr. EASTLAND. Because it is impractical to get such an extension passed by the House.

Mr. ANDERSON. There is a deadline, is there not?

Mr. EASTLAND. We were requested by the House to proceed in this way.

Mr. ANDERSON. I realize that, but if we had requested the House to forego its wishes, and to pass a temporary extension, the House would have had the privilege and right of saying, "We do not intend to do that." I think the Senate has the same right.

Mr. KNOWLAND. Mr. President, if the Senator from Mississippi will yield at that point, I think the Senator from New Mexico is quite correct. I do not see why we could not adopt as a substitute for the House measure a resolution extending the powers for 15 days, take it to conference, and have it acted upon. The House in any event must act on the conference report, and the House would act on a 15-day extension, in any event.

Mr. ANDERSON. Certainly. The Senator from Mississippi was suggesting that something of that nature be done. Now proposes to attach two amendments to joint resolution on this. I do not know what they are. I should like to know what they are.

Mr. KNOWLAND. Mr. President, I again ask unanimous consent to ask the Senator from Mississippi for a copy of the statement which was made by the chairman of the Judiciary Committee. I read the press dispatch, to which I referred previously. It relates to war powers, and bears a Washington date line. It reads:

Legislation to continue a limited number of President Truman's wartime powers stalled in the Senate today after quick House approval. The Senate Judiciary Committee has yet to act on the measure, and Chairman McCARRAN was expected to ask for a 15-day temporary extension of the President's emergency powers, which expire next Sunday, to give his committee time to act.

I assume that the committee staff has prepared, and that there is available with the committee a resolution providing for a 15-day extension. If the Senator would merely offer that as a substitute for the House joint resolution, rather than the substitute he is now offering, it would seem to me to take care of the situation; or, if the Senator himself, for any reason, would prefer not to offer it, if he could furnish me a copy of the 15-day-extension proposal, I should be very glad to offer it as a substitute for the House joint resolution. It would go to conference, the conferees could accept it, and the House could act upon it. In a matter of this kind I simply do not think it is good legislative procedure to operate with a gun at one's head, on the theory that we must act immediately, without copies of the House and Senate joint resolutions being available, without a copy of the committee report being available, and with a deadline against which to operate.

Mr. EASTLAND. There would still be the deadline when the matter went to conference, of course.

Mr. KNOWLAND. No; there would not be. If a 15-day extension were provided, presumably the House would accept it.

Mr. EASTLAND. Very well. Mr. President, I move to strike out all after the resolving clause, of the House joint resolution and to substitute therefor Senate Joint Resolution 164.

Mr. ANDERSON. I second that motion. That is exactly what I have been trying to have done, and what the Senator from California advocated so ably. We certainly cannot expect the Senate to vote on a House joint resolution when copies of it are not available, when copies of the Senate resolution proposed as a substitute are not available, and when the report of the Senate committee is not available. The most we can hope to do is to pass a temporary extension resolution and send it to conference. I support the motion of the Senator from Mississippi.

Mr. HUMPHREY. Mr. President, is it not necessary for me, in order to clarify the parliamentary situation, to withdraw by motion to lay aside the joint resolution?

The PRESIDING OFFICER. The Chair was about to advise the Senator from Minnesota that his motion was not in order, under the present parliamentary situation. It would have to be a motion to lay aside to a day certain. So the motion of the Senator from Minnesota is not in order.

Mr. HUMPHREY. Very well, I drop that, because I favor the procedure which has been suggested by the Senator from California and the Senator from New Mexico.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi to strike out and insert.

Mr. CASE. Mr. President, reserving the right to object—

Mr. CORDON. I should like to know what is proposed to be inserted.

Mr. CASE. Reserving the right to object, What happens to the amendment

offered by the Senator from South Dakota to strike portions of the original joint resolution?

The PRESIDING OFFICER. The amendment of the Senator from Mississippi will be read for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed to strike out all after the preamble and insert the text of Senate Joint Resolution 164, as follows:

Resolved, etc., That the joint resolution entitled "Joint resolution to continue the effectiveness of certain statutory provisions until June 1, 1952," approved April 14, 1952 (Public Law 313, 82d Cong.), as amended by the act approved May 28, 1952 (Public Law 368, 82d Cong.), is further amended by striking out "June 15, 1952" wherever it appears in such joint resolution and inserting in lieu thereof "June 30, 1952."

Mr. CASE. Mr. President, that, of course, puts the deadline over to the 30th of June, and brings us right up against the prospective adjournment or recess of Congress ahead of the national conventions. I anticipate that at that time the gun will again be put at the head of the Congress and we shall be told, when we are about to adjourn, that we must take the joint resolution as it is. Therefore, I suggest to the members of the prospective conference committee that they give consideration to the elimination of section 5. I have gone over it very hurriedly, but I see that it contains something over six pages of detailed references and cross-references to various acts with reference to tax relief and contract relief in one form or another. Reference is made to the War Contractors Relief Act. It runs in my mind that Mr. Lindsay Warran has been very critical of some of the actions which have taken place under the War Contractors Relief Act, and I do not want the situation to arise that, on the 30th of June or a day or two before that time, a resolution will be presented to the Congress for continuation of the War Contractors Relief Act with the suggestion that we pass it without any specific information as to what is done.

I have no objection to the 15-day extension as a general proposition, but I think the conference should be on notice that if they come back and ask for a further extension, section 5 should be eliminated.

Mr. President, if the parliamentary situation calls for my withdrawing my amendment, I shall withdraw it.

The PRESIDING OFFICER. That would be helpful.

Mr. CASE. Then I withdraw it at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. EASTLAND].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "Joint resolution continuing the effectiveness of certain statutory provisions until June 30, 1952."

The PRESIDING OFFICER. Without objection, Senate Joint Resolution 164 is indefinitely postponed.

Mr. EASTLAND. Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MCCARRAN, Mr. EASTLAND, and Mr. FERGUSON conferees on the part of the Senate.

INCREASE IN FEDERAL EMPLOYEE ANNUITIES

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2968, to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2968) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with amendments.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The clerk will proceed to state the committee amendments.

The amendments of the Committee on Post Office and Civil Service were, on page 2, line 21, after the word "On", to strike out "December 31, 1953" and insert "June 30, 1954"; in line 22, after the word "on", to strike out "December 31" and insert "June 30", and on page 3, after line 24, to insert a new section 3, as follows:

SEC. 3. Section 13 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following paragraph:

"Any person entitled to annuity from the civil-service retirement and disability fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect."

So as to make the bill read:

Be it enacted, etc., That section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

"(c) (1) The annuity of any employee who, before the date of enactment of this amendment, was retired and is receiving or entitled to receive annuity from the fund, shall be increased, effective on the first day of the second month following enactment of this amendment, by \$36 for each full 6-month period elapsed between the commencing date of annuity and October 1, 1952: *Provided*, That such increase in annuity shall not exceed the lesser of \$324 or 25 percent of the present annuity: *Provided further*, That the increases to retired employees provided by this subsection shall not operate to increase the annuities of their survivors.

"(2) The increases in annuity provided by this subsection shall be paid from the civil-service retirement and disability fund, and shall terminate, without subsequent resumption, under either of the following conditions:

"(A) At the end of the second month following the third consecutive month for which the Consumers' Price Index of the Bureau of Labor Statistics is less than 169.9, the index for the month of April 1948. In the event that the Bureau of Labor Statistics revises the basis of calculating the Consumers' Price Index, it shall immediately furnish to the Commission a conversion factor designed to adjust to the new basis the index figure of 169.9 described herein, and such adjusted index shall be used for the purposes of this subsection.

"(B) On June 30, 1954, or on June 30 of any subsequent year, unless before such date an appropriation has been made to the civil-service retirement and disability fund for the specific purpose of compensating said fund for the cost, as determined by the Commission, of increases provided by this subsection during the fiscal year immediately preceding such date."

SEC. 2. There is hereby created a body to be known as the Committee on Fiscal Policy for Federal Civilian Retirement Systems, which shall be composed of the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, and the Director of the Bureau of the Budget, all ex officio. This Committee shall report to the Congress not later than June 30, 1953. Its report shall cover the following:

(A) A survey of existing methods of determining and funding the Government's portion of the cost of the retirement systems for civilian employees of the United States Government and of the District of Columbia government;

(B) A recommendation as to the desirability of a uniform method of cost determination and funding; and

(C) A recommendation of the uniform method of cost determination and funding (or varied methods applicable to the several systems, if found desirable), which, in harmony with budget and fiscal policies of the United States, will result in the proper discharge of the Government's liabilities under such retirement systems.

SEC. 3. Section 13 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following paragraph:

"Any person entitled to annuity from the civil-service retirement and disability fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect."

The amendments were agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. BRIDGES. Mr. President, before any further amendments are offered I think it would be very helpful if the distinguished Senator from Florida [Mr. SMATHERS], who I understand handled the bill in the subcommittee, under the direction of the distinguished Senator from South Carolina [Mr. JOHNSTON], would give us a general picture of the purpose of the bill, what it is proposed to do, and what the cost will be.

Mr. SMATHERS. Mr. President, in answer to the request of the distinguished minority leader let me say that it is a very simple, and I believe fair, bill. It does not call for any additional appropriations this year.

The bill is designed to give to retired Federal workers sufficient income so that they may be able to live in decency and under healthful conditions. It is a recognition that there has been an increase in the cost of living. It is a recognition that hertofore the Congress has recognized that retired workers under the Railroad Retirement System were entitled to an increase, and gave them an increase. It is a recognition that Congress gave to retired members of the Armed Services an increase in their annuities. Congress has also given increased annuities to persons in the Foreign Service.

This bill merely sets the same standard for retired Federal workers. It authorizes them to take from their reserve fund, of \$4,700,000,000, \$31,000,000 this year, which will be enough to give to the now retired Federal workers an increase of not more than \$324 a year. The Bureau of Labor Statistics says that it costs something like \$1,900 a year for an old couple to live in decency and in a healthful condition. However, the income which they are receiving today under the retirement system is only \$1,153; and if they were to receive the maximum increase provided in the bill they would still be \$600 short of what the Bureau of Labor Statistics says is needed by an old couple in order adequately to live under the present high prices.

Very briefly, that is what the bill provides for.

Mr. BRIDGES. I should like to ask the distinguished Senator from Florida a question. Can he tell the Senate the termination date of this legislation? I understand that the approach to this subject is that this is a temporary measure, based upon the cost of living index. We hope it will be temporary.

Mr. SMATHERS. There are two features which make it temporary. First, if the cost-of-living index, which is now 188, goes back to the level at which it stood in 1948, this increase will be automatically done away with. If, on the other hand, the cost-of-living index does not go back to where it was in 1948, the bill will automatically come to an end in June 1954, unless the Congress, by affirmative act, and by appropriation, sees fit to continue it. Two acts would be necessary to continue it, namely, an

authorization act and an appropriation act.

Mr. BRIDGES. I have been asked another question which I have been unable to answer. I should like to have the Senator's explanation. I am not questioning the date, but why was the date of April 1948 selected as the date with respect to the index?

Mr. SMATHERS. That was the date on which the last increase was granted to members of the Federal civil-service system.

Mr. BRIDGES. So it is based upon a previous act, rather than any local condition which may have existed with respect to the index figure.

Mr. SMATHERS. That was the last date on which they received an increase.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JOHNSTON of South Carolina. We passed a somewhat similar bill at that time granting increases practically along the same lines as those proposed in the present bill.

Mr. BRIDGES. Mr. President, will the Senator explain another feature of the bill?

Mr. SMATHERS. I shall be glad to do so.

Mr. BRIDGES. The bill creates a committee, does it not?

Mr. SMATHERS. Yes.

Mr. BRIDGES. What is the purpose of the committee?

Mr. SMATHERS. A committee is provided for in the bill, which is to be established to determine whether or not this retirement system, the railroad retirement system, and the social-security retirement system should be fully funded systems. The great point in issue with respect to all these systems seems to be whether or not the retirement systems should at all times have sufficient money in reserve so that, if theoretically everyone should suddenly retire at the same time and claim the full amount, the necessary amount of money would be on hand. There is a dispute as to whether or not the system should be operated in that manner. There are many responsible persons on both sides of the question. So in the bill we provide for a committee to study the retirement systems and recommend to the Congress just what standard of funding should be followed in connection with all the retirement systems.

Mr. BRIDGES. My reason for the questions is to have a clear explanation in the Record of the purpose and intent of the bill, the basis on which the formula is fixed, and the termination date, or the basis of termination, if it is to be terminated.

Generally speaking, while I dislike to see the expenditures of Government go up, and while I do everything in my power to keep them down, I believe that inasmuch as we have adjusted the annuities of other groups, it is fair that the annuities of this group be adjusted. I shall support the bill, in view of the explanations which have been made.

The PRESIDING OFFICER. All the committee amendments having been dis-

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 18, 1952
For actions of June 17, 1952
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HIGHLIGHTS: Senate committees reported urgent deficiency appropriation bill and agriculture-census bill. Senate debated St. Lawrence waterway. House passed bill to increase social-security payments. House committee reported bill to continue present price-support levels. House committee voted to report Pease soil-water bill. House Rules Committee cleared defense production bill and joint budget committee bill. House received appropriation estimate for foreign aid.

HOUSE

- PRICE SUPPORTS.** The Agriculture Committee reported without amendment H. R. 3122, to continue use of the old parity formula and to continue 90%-of-parity supports on basic commodities (H. Rept. 2138) (p. 7575). For a detailed analysis of this bill, see Digest 100.
- SOIL CONSERVATION; WATER UTILIZATION.** The Agriculture Committee ordered reported (but did not actually report) H. R. 3243, authorizing the Department of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation (p. D593). This bill is a substitute for H. R. 7368.
- SOCIAL SECURITY.** Passed, 361-22, with amendment H. R. 7500, to increase old-age and survivors benefits under the Social Security Act (pp. 7517-8).
- DEFENSE PRODUCTION.** The Rules Committee reported a resolution for consideration of H. R. 3210, to amend and extend the Defense Production Act. The majority leader announced that debate on the bill will begin today. (p. 7552.)
- BUDGETING.** The Rules Committee reported a resolution for consideration of H. R. 7333, to create a Joint Committee on the Budget, etc. (p. 7552).
- FOREIGN-AID APPROPRIATIONS.** Received from the President an appropriation estimate of \$6,447,730,750 for the foreign-aid program in the fiscal year 1953; to Appropriations Committee (H. Doc. 510) (p. 7575).

7. **CHEMICALS IN FOODS.** Received from the DeLaney Committee a report on the use of chemicals in foods and cosmetics (H. Rept. 2182)(p. 7575).
8. **COCONUT TARIFF.** Received from the State Department a letter from the Phillipine Government favoring H. R. 6292, to eliminate the 3-cent tax on imported coconut oil (p. 7575).
9. **PURCHASING.** Rep. Shelley criticized the OIM policy regarding placement of Government contracts in surplus-labor areas (pp. 7552-3).
10. **TRAVEL.** A subcommittee of the Judiciary Committee approved for reporting to the full committee S. 2545, permitting the advance of travel expenses and subsistence to Government employees by one agency for convenience of another (p. 7599).
11. **EMERGENCY POWERS.** Disagreed to Senate amendment to H. J. Res. 477, to continue certain statutory provisions for the duration of the national emergency and 6 months thereafter, but not beyond June 30, 1953, and appointed conferees (p. 7501). Senate conferees were appointed June 12.

SENATE

12. **CENSUS.** The Post Office and Civil Service Committee reported with amendment H. R. 7202, providing that a census of agriculture be taken in October 1954 and each tenth year thereafter (S. Rept. 1779)(p. 7462).
13. **APPROPRIATIONS; FOOT AND MOUTH LABORATORY.** The Appropriations Committee reported with amendments H. R. 7860, making urgent deficiency appropriations for the fiscal year ending June 30, 1952 (S. Rept. 1780)(p. 7462).
14. **ST. LAWRENCE SEAWAY.** Continued debate on S. J. Res. 27, the proposed St. Lawrence Seaway Project (pp. 7462-98). Sen. Thye discussed the agricultural aspects of the self-liquidation features of this project, stating that "it is estimated that each year a total of from 200 to 400 million tons of grain will be shipped over the St. Lawrence seaway and that the result will be a not saving of from 3 cents to 8 cents a bushel, as compared to present transportation costs" (pp. 7497-8).
15. **CIVIL DEFENSE.** Adopted the conference report on H. R. 5990, amending the Federal Civil Defense Act of 1950 to allow the administrator to lease real property (pp. 7499-7500).
16. **NOMINATIONS.** Nominations were received for Martin Kelsb Elliott and Anthony F. Arpaia as Interstate Commerce Commissioners (p. 7500).
17. **ELECTRIFICATION.** Sen. Humphrey inserted a resolution adopted by the Missouri State Rural Electrification Association urging Congress to appropriate \$2,000,000 for the initial construction of the Table Rock Reservoir project to overcome the approaching power shortage in the Southwest area (p. 7461).
18. **FLOOD CONTROL.** Sen. Bennett inserted his statement discussing the flood damage in Utah and praising the people of the State for the measures they took to meet the crises (pp. 7498-9).

House of Representatives

TUESDAY, JUNE 17, 1952

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty and Eternal God, wilt Thou hallow and sanctify, guide and strengthen our lives during this day as we seek to solve our many difficult national and international problems.

Expand and enlarge our minds and hearts with a healing sympathy for needy humanity. Deepen and widen our interest in every effort and plan to minister to its safety and security, its sorrows and struggles.

Grant that we may stand in the noble succession and the sublime tradition of all, who in every generation, have given themselves so sincerely and sacrificially for the liberties and welfare of mankind.

May we have an eye single to Thy glory and hold our own wishes in abeyance until Thou dost declare Thy will.

Hear our prayer in the name of Him who is the Lord and Master of us all. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

SPECIAL ORDERS GRANTED

Mr. DOLLIVER asked and was given permission to address the House on July 1, 1952, for 30 minutes following any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House today for 5 minutes, following any special orders heretofore entered.

SPECIAL ORDER VACATED

Mr. HARRISON of Nebraska asked and was given permission to vacate his special order for today.

EXTENSION OF REMARKS

(Mr. HALLECK asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. HALLECK addressed the House. His remarks will appear hereafter in the Appendix.]

EXTENSION OF WAR POWERS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months

thereafter, but not beyond June 30, 1953, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: MESSRS. CELLER, FEIGHAN, FORRESTER, BOGGS of Delaware, and HILLINGS.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

COL. JULIA O. FLIKKE AND COL. FLORENCE A. BLANCHFIELD

The Clerk called the bill (S. 2256) for the relief of Col. Julia O. Flikke and Col. Florence A. Blanchfield.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. Julia O. Flikke, Army of the United States (retired), formerly Superintendent of the Army Nurse Corps, the sum of \$1,534.44, and to Col. Florence A. Blanchfield, United States Army (retired), formerly Assistant Superintendent of the Army Nurse Corps, the sum of \$1,865.05, in full satisfaction of their claims against the United States for reimbursement of pay and allowances lost by them as a result of the ruling of the Comptroller General on June 1, 1942 (21 Comp. Gen. 1073), which interpreted Public Law No. 252, Seventy-seventh Congress, first session (55 Stat. 728), to the effect that women could not draw pay as officers by virtue of temporary appointments in the Army of the United States made pursuant to said public law: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. SNOKE

The Clerk called the bill (S. 1360) to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of John J. Snoke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear, determine on the merits, and to render in accordance therewith, judgment upon the claim, with such interest as the court may determine, of John J. Snoke and Thomas F. Christman (assignor to said John J. Snoke) against the United States for the use, during the occupancy and operation of the plant and facilities of the Goshen Veneer Co., Inc., Goshen, Ind., in the period from April 17, 1944, to November 5, 1944, of an invention covering methods and apparatus for forming wood veneer plywood tubes described in a patent application (serial No. 525,672) theretofore filed by said John J. Snoke and Thomas F. Christman, in conformity with the terms of a contract executed by and between said John J. Snoke and Thomas F. Christman and the said Goshen Veneer Co. on March 18, 1944, under which said company agreed to pay specified royalties to said John J. Snoke and Thomas F. Christman for the use of such invention. Suit upon such claim may be instituted at any time within 6 months after the date of enactment of this act, notwithstanding the lapse of time, laches, or any statute of limitations. Proceedings for the determination of such claim, and appeals from, and payment of, any judgment thereon shall be in the same manner as in the case of claims over which said court has jurisdiction under section 1491 of title 28 of the United States Code: *Provided,* That enactment of this act shall not be construed to raise any implication of liability by the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CUBAN-AMERICAN SUGAR CO.

The Clerk called the bill (S. 2696) conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear, determine, and render judgment on the claim, together with interest thereon, of the Cuban-American Sugar Co. against the United States for a refund of taxes erroneously and illegally assessed and collected as excess-profits taxes for the period from January 1, 1917, to September 30, 1917. That, for the purpose of arriving at the correct determination of the tax for this period, the Court of Claims is to apply the method of computation under sections 201 and 203 of the Revenue Act of 1917, based upon the invested capital of the corporation amounting to \$39,848,330.85, which was the invested capital of the Cuban-American Sugar Co. according to the decisions of the Board of Tax Appeals, all dated December 16, 1932, which decisions were

based upon the stipulation entered into between the Cuban-American Sugar Co. and the Commissioner of Internal Revenue, whereby it was agreed that the sum of \$39,848,530.85 was the invested capital of the Cuban-American Sugar Co. for the calendar year 1917.

Sec. 2. In the proceedings upon such claims before the Court of Claims the United States shall not avail itself of the defense that the general counsel for the Bureau of Internal Revenue acted without legal authority in making such stipulation of settlement.

Sec. 3. Suit upon such claim may be instituted at any time within 6 months after the date of enactment of this act, notwithstanding the lapse of time, laches, the form or any content or the time of filing of claims for the refund and alleged amendments thereto, heretofore filed or any statute of limitations. Proceedings for the determination of such claim and appeals from the payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 1346 of title 28, United States Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. KATHERINE L. SEWELL

The Clerk called the bill (H. R. 2278) for the relief of Mrs. Katherine L. Sewell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Katherine L. Sewell the sum of \$40,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Katherine L. Sewell against the United States on account of personal injuries sustained by her when the automobile in which she was riding was struck by a Government vehicle on Okinawa Island, on April 3, 1949: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$40,000" and insert "\$10,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF WILLIAM MOONEY

The Clerk called the bill (H. R. 3705) for the relief of William Mooney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Mooney, 431 West Twenty-fifth Street, Manhattan, New York City, N. Y., the sum of \$1,000. The

payment of such sum shall be in full settlement of all claims of the said William Mooney against the United States on account of the injuries sustained by him on August 26, 1943, when he was struck by a United States Coast Guard truck while said truck was on the sidewalk abutting upon 439 West Twenty-fifth Street, Manhattan, New York City, N. Y.

With the following committee amendments:

Page 1, line 5, after "to", insert "the legal guardian of."

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of William Mooney."

A motion to reconsider was laid on the table.

CLEMMER CONSTRUCTION CO., INC.

The Clerk called the bill (H. R. 3983) for the relief of the Clemmer Construction Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Clemmer Construction Co., Inc., Akron, Ohio, the sum of \$50,276.02, in full settlement of all claims of such company against the United States arising out of the construction of project O. H. 33013 Wilbeth-Arlington Homes, Akron, Ohio. Such company sustained losses (1) of \$40,459.68 as the result of Executive Order No. 9310, which changed the minimum workweek from 40 hours to 48 hours after the contract for such construction had been signed on February 6, 1943, and (2) of \$9,816.34 as the result of the confiscation by the United States, after the contract for such construction had been signed, of lumber consigned to such company for use in such construction: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon, notwithstanding the bar of the statute of limitations, the claim of the Clemmer Construction Co., Inc., of Akron, Ohio, against the Government of the United States on account of construction contract between

the claimant and the Federal Housing and Home Finance Agency: said construction contract being numbered OH 33013, Wilbeth-Arlington Homes, Akron, Ohio: *Provided*, That it shall not be a defense on the part of the Government that the acts of the Government which are alleged to have harmed the claimant are acts done by the Government in its sovereign capacity."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to confer jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Clemmer Construction Co., Inc."

A motion to reconsider was laid on the table.

FRANCIS C. DENNIS AND MARVIN SPIRES

The Clerk called the bill (H. R. 4163) for the relief of Francis C. Dennis and Marvin Spires, of Eastover, S. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$11,950 to Francis C. Dennis; and the sum of \$1,000 to Marvin Spires, both of Eastover, S. C., in full settlement of all claims against the United States for personal injuries and expenses incident thereto sustained as the result of an accident involving a United States Army vehicle on August 9, 1946, in Columbia, S. C. The operator of such vehicle was not acting within the scope of his authority.

With the following committee amendment:

Page 1, in line 11, after "South Carolina", strike out the remainder of the bill and insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SANTOS SANABRIA ALVAREZ

The Clerk called the bill (H. R. 4502) for the relief of Santos Sanabria Alvarez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Santos Sanabria Alvarez, who was injured on December 1, 1940, when struck in Aguadilla, Puerto Rico, by a United States Army truck. The payment of such sum shall be in full settlement of all claims

Act of 1949, are of such a nature as to require expeditious emergency action The application of the meticulous procedural requirements of the Administrative Procedure Act to programs of this nature can only be productive of serious delay in the inauguration of the programs and consequent impairment of mobilization for defense."

10. **DEFENSE PRODUCTION.** Concluded all general debate on, and read for amendments, the first section of H. R. 8210, to amend and extend the Defense Production Act. Rep. Andresen and others discussed section 104, restricting cheese imports. Consideration of this measure will be continued today under the 5-minute rule. (pp. 7659, 7661-9, 7671-95.)
11. **APPROPRIATIONS.** The "Daily Digest" states that "Conferees... agreed to file a conference report on ... H. R. 7072, independent offices appropriations for 1953" (p. D607).
12. **EMERGENCY POWERS.** Reps. Pickett and Reed (Ill.) were appointed as additional conferees on H. J. Res. 477, to continue certain statutory provisions for the duration of the national emergency and 6 months thereafter, but not beyond June 30, 1953 (p. 7659).
13. **RECLAMATION.** The "Daily Digest" states that the "Engle subcommittee on Irrigation and Reclamation voted to definitely postpone hearings on H. R. 5743, authorizing construction of the Snake River reclamation project" (p. D605).
14. **PRICE CONTROLS.** Extension of remarks by Rep. Holifield wherein he claimed that big business lobbies are attempting to "kill off the control programs," and he inserted a New Republic magazine article on this subject entitled, "The Raid on Price Controls" (pp. 7659-61).
15. **TRANSPORTATION.** Rep. Bryson spoke on the ICC's recent order establishing uniform class freight rates to the entire portion of the country east of the Rocky Mountains, and he claimed this action would not only benefit the South but the entire economy of this country (pp. 7698-9).
16. **APPROPRIATIONS.** Received the Budget Bureau's letter changing the amount in the supplemental estimates for the fiscal year 1953 relating to the mutual-security program, submitted on June 17, 1952 (H. Doc. 510), from \$6,447,730,750 to \$6,492,740,750; to Appropriations Committee (p. 7700).

BILLS INTRODUCED

17. **ST. LAWRENCE SEAWAY.** S. J. Res. 167, to grant the consent of the Congress to the entry of certain States into compacts and agreements for the improvement of navigation on the boundary waters of States within the Great Lakes-St. Lawrence River drainage system; to Public Works Committee (p. 7579). Remarks of author (p. 7592.)
18. **MIGRATORY LABOR.** H. R. 8277, by Rep. Howell, to establish a Federal Committee on Migratory Labor; to Education and Labor Committee (p. 7701).
19. **PERSONNEL.** H. R. 8280, by Rep. Rogers (Mass.), to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the optional retirement of certain officers and employees who are disabled veterans; to Post Office and Civil Service Committee (p. 7701).

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ITEMS IN APPENDIX

20. **ELECTRIFICATION.** Rep. Rankin defended the Electric Power Consumer's Conference, discussed the fight for public power and its resulting cheaper electricity rates to farmers, and accused private power interests of trying to get a monopoly of the power business in this country (pp. A3959-61).
21. **CHEESE.** Rep. Eberharter inserted a Madison State Journal editorial opposing the continuation of import restrictions on foreign cheeses, and stating that its supposed threat to the American farmer is "somewhat of a tempest in a teapot" (pp. A3963-4).
22. **EXPENDITURES; BUDGETING.** Rep. Harrison inserted two Wyoming Taxpayers' Association resolutions in favor of bills to set up a legislative staff to help appropriation committees on fiscal matters (S. 913, H. R. 7888), and to limit Federal expenditures for fiscal year 1953 to \$71 billion (H. J. Res. 371) (p. A3991).
23. **RECLAMATION.** Rep. D'Ewart inserted a newspaper editorial calling attention to the fine job done by the employees of the Bureau of Reclamation in repairing flood damage in the Milk River Valley (p. A3993).
24. **ECONOMIC CONTROLS.** Extension of remarks by Rep. Holler discussing the reasons why economic controls should not be killed at this time (pp. A3993-4).
25. **WOOL; FOREIGN TRADE.** Extension of remarks by Rep. Berry claiming that the State Department policy of permitting foreign wool to "flood" our domestic market is putting the sheepman out of business and "costing the laboring man millions of man-hours of work" (p. A3996).

BILL APPROVED BY THE PRESIDENT

26. **EMERGENCY POWERS.** H. J. Res. 481, providing for a temporary extension of various emergency war powers for an additional 15 days until June 30, 1952. Approved June 14, 1952 (Public Law 393, 82nd Cong.)

oOo

COMMITTEE HEARING ANNOUNCEMENTS for June 19: Grain-storage investigation, S. Agriculture (Brennan to testify). GI bill for Korean veterans, S. Labor and Welfare. Various reorganization bills, H. Expenditures. Increased retirement annuities, H. Civil Service (Ranspock to testify). Defense Production Act appropriation bill, S. Appropriations (ex.).

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For supplemental information and copies of legislative material referred to, call Ext. 4654, or send to Room 105A.

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Mr. VINSON. Yes; I am asking unanimous consent that later on during the day I may have the right to propound a unanimous-consent request or to move to rerefer a bill. I am doing this to preserve my rights and to give the chairman of the Expenditures Committee an opportunity to be here. He is just leaving his office.

Mr. HOFFMAN of Michigan. Mr. Speaker, reserving the right to object, do I understand the gentleman to say that he is asking unanimous consent that he may make the same request later on?

Mr. VINSON. That is right exactly, because under the rules of the House this is the time it has to be made and I propound a unanimous-consent request now to be permitted during today to offer a motion to rerefer a bill.

Mr. HOFFMAN of Michigan. Why does not the gentleman ask it now?

Mr. VINSON. I am withholding the motion pending the arrival of the gentleman from Illinois [Mr. DAWSON].

Mr. HOFFMAN of Michigan. Mr. Speaker, if that is the only purpose, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DEFENSE PRODUCTION ACT AMENDMENTS OF 1952

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 696 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8210) to amend and extend the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended. That after general debate which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments there-to for final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. COLE of New York. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MCCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Aandahl	Barrett	Boykin
Abernethy	Bates, Ky.	Budge
Albert	Beckworth	Buffett
Amuso	Bolton	Burdick

Burleson	Kearney	Sasser
Butler	Kennedy	Scott, Hardie
Canfield	Kilday	Scott,
Carlyle	Martin, Mass.	Hugh D., Jr.
Carnahan	Miller, Calif.	Shafer
Chatham	Miller, N. Y.	Short
DeGraffenried	Morris	Stanley
Dingell	O'Brien, N. Y.	Steed
Evins	O'Konski	Stigler
Fenton	O'Neill	Stockman
Frazier	Patman	Sutton
Gore	Powell	Tackett
Hall,	Prouty	Vursell
Leonard W.	Bains	Welch
Havener	Richards	Wickersham
Herter	Roosevelt	Wigglesworth
Hope	Sabath	Wilson, Ind.

The SPEAKER. Three hundred and sixty-six Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF WAR POWERS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to appoint two additional conferees on the part of the House in the conference between the House and the Senate on House Joint Resolution 477.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ALLEN of Illinois. Mr. Speaker, reserving the right to object, did the gentleman take this up with Mr. REED of Illinois?

Mr. CELLER. I did.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Chair appoints the gentleman from Illinois [Mr. REED] and the gentleman from Texas [Mr. PICKETT].

THE LOBBIES GANG UP TO KILL CONTROLS

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD on price control.)

Mr. HOLIFIELD. Mr. Speaker, no one has to tell us in the Congress that there is a vast, well-organized, well-financed, ruthless conspiracy among many of the big business lobbies in the country to kill off the control programs which have been so successful up to now in holding off inflation.

We are bombarded every day by the propaganda of this organized group attack on the welfare of the people of this country. Our mail is full of inspired propaganda against price regulations or against rent controls, or against other aspects of the stabilization program.

Although we are very familiar with how this organized campaign is operating, and although we can remember how a similar campaign succeeded in 1946 and left the country helpless in the face of a terrible postwar inflationary spiral, we may not all be thoroughly aware of the manner in which this organized anticontrols program was begun.

The New Republic magazine recently carried an excellent article on this subject entitled "The Raid on Price Controls." It tells who is behind the drive to kill OPS and the other controls pro-

grams and how they planned to go about it.

It shows how the lobbies ganged together to promote a myth that controls are cutting production and causing shortages—yet all of us know production is at all-time high. It shows how the lobbies, working both sides of the street, say on the one hand that controls are keeping prices high, and then on the other hand claim that controls are not necessary because so many prices are so low.

Mr. Speaker, I think it is important that no Member of Congress be tricked into believing the special interest propaganda of the selfish groups that want to kill controls in order to increase their profits. Any Member reading this article in the New Republic cannot help but realize that the crocodile tears being shed by some of these groups over the alleged hardships imposed by the controls are as synthetic as the gold-plating on a 10-cent store necklace.

The article in the New Republic magazine, The Raid on Price Controls, is as follows:

THE RAID ON PRICE CONTROLS

(By Mathew K. Amberg)

With the inflationary armaments drain on the economy approaching its peak, a cluster of quiet and determined drives go on to strip away what price-control protection now remains in effect.

These drives have been moving ahead under cover of the attention-distracting steel wage-and-price dispute. Deliberately avoiding the publicity tactics of former years in an apparent effort to let a sleeping public lie, a fairly well coordinated coalition of business and farm organizations has set out to kill price controls.

All this year the foes of the OPS have been feeding out horror stories on the problems and expenses facing businessmen who try to comply with OPS regulations, stories of the expensive staffing of OPS field offices, comparisons of the number of words in the Ten Commandments and in a fictional OPS cabbage-price regulation, and the like. Largely avoided were such gaudy promotional stunts as the National Press Club dinner thrown last year by 19 meat-industry associations fighting against meat ceilings.

The line for some organizations was laid out at strategy sessions such as one which took place February 28 in the Crystal Room of Chicago's Hotel Sherman. There a group of farm commodity, retail, wholesale, and realty organizations met to pool efforts and plan their campaign to make the OPS unsavory to the public.

By order of the Corn Belt Livestock Feeders Association, which called the Hotel Sherman meeting, and in line with the CBLFA's pledge that it was to be "a confidential meeting without publicity," it was closed to the press. The names of most of the estimated 40-to-50 participants, as well as those selected to serve on the fund-raising and tactics coordinating committee, were not divulged to questioning reporters. Much of the press responded graciously—business publications like the Wall Street Journal and the Journal of Commerce and most metropolitan dailies carried no news stories on the meeting.

At the meeting, the CBLFA's invitation to 63 organizations said, a production, processing, and distribution council would be formed, to be composed of "all organizations opposed to the OPS who desire to work together in a hard, well-planned campaign during these next 10 months."

"Each organization would start an immediate campaign of its own through

speeches, radio programs, press releases, etc., showing up the OPS program. Every failure, every reduction in production, every distress brought about by the OPS would be brought out. * * * Those [affiliates] with radio time would be asked to invite in the representatives of other organizations when some startling bit of information could be broadcast that would bring resentment against the OPS. The deliberate and planned attempt would be to make it as unsavory to the public as was the OPA. It would be emphasized and reemphasized that controls cut production and shortages in production bring high prices."

Other parts of the plan, according to the two-page confidential promotion, would make use of auto windshield stickers carrying the slogan, "Take the shackles off production—OPS must go" and election of State chairman to stimulate a steady stream of letters to each Representative from people in his own State, of visitors to Representatives, and of all-industry delegate bodies to visit each delegate to the two major parties' national conventions. The efforts prior to extension of the controls bill after July 1 would be to have the OPS authority dropped from the law, leaving only allocations and some indirect control powers. If that failed, the next move would be to attempt to get both party platforms for 1952 to carry antiprice control planks.

The Livestock Feeders' confidential promotion proposed a coordination of testimony before Congress: "not only should there be a perfect flood of demands to be heard, but each appearance should be sure to contain material stressing: (a) Controls cut production. (b) Shortages of production bring high prices. (c) The OPS must go."

Mark W. Pickell, president of CBLFA, emerged from the February 28 meeting and told reporters that some 50 representatives of 30 different industries had been present, but declined to identify any participants except to say that cotton, butter, and eggs, retailing and wholesaling fields were represented.

Meanwhile other farm and business organizations were coordinated through various arrangements—interlocking memberships of associations and foundation boards of directors, informal strategy luncheons and meetings, and chamber of commerce and meat-industry conferences. Besides the dozen real-estate organizations which asked for the end of rent control, 60 business and farm groups paraded witnesses before the Senate committee hearings or sent statements, ringing the changes on one or both of two major themes: let price and wage controls die June 30, 1952; or, decontrol or suspend controls on new industry's products.

A repeat performance was put on before the House Banking and Currency Committee. The major argument advanced by those seeking the end of controls over their own products was deceptively simple: Our goods are selling at below-ceiling prices and are, therefore, "soft," and have been for some time, so please free us of burdensome record-keeping and reporting requirements.

The big fallacies in the soft-price argument are twofold: Prices are not so soft, and they may be expected to go up. The so-called price softness claim is based on the fact that some prices are below ceiling or, in the case of products on which ceilings could not be set, below the peak prices. But these ceilings and peaks were reached under conditions of scare buying and wild profiteering before the administration got up gumption enough to order the freeze, and the drop from those ceilings and peaks is relatively slight.

The housewife well knows that her shopping bag is very costly to fill. According to the OPS and the Bureau of Labor Statistics, 58 percent of the weight of the consumers'

budget was being spent for items which were at peak or ceiling prices at the very time these industry people spoke of "soft" prices to the Senators, and nearly 80 percent of the family budget was going for items priced within 2 percent of ceiling.

The businessman and the Government procurement officer shop for their supplies in a high-priced wholesale commodity market. On items of wide public interest accounting for \$134,700,000,000 of transaction value (less than half of the wholesale market), only 41 percent were at peak prices, 20 percent were slightly below, and 39 percent significantly below the peak. In this group are such commodities as wool, cotton, grains, livestock, poultry, eggs, processed foods, clothing and textiles, passenger cars and tires, etc. Furthermore, the relatively soft prices of such items as pork products resulted largely from purely seasonal factors prevailing when the survey was taken. The price forecast for later in the year is much closer to ceiling.

But in the group of items of main interest to business, comprising \$138,400,000,000 and including metals, machinery, chemicals, most fuels, lumber, trucks and buses, and other basic goods, a different picture emerges. Here 84 percent of prices were at peak, 12 percent "slightly" below, and only 4 percent "significantly" below.

The wholesale commodity figures may go far to explain why the heaviest decontrol pressures come from agricultural commodity and processing, textile and retailing groups, with support from the machine-tool and similar industry trade associations.

At the Senate hearings, NAM's president William J. Grede, summarized the argument for those who took the "let controls die June 30" line. He refused to consider advising the Banking Committee on proposed modifications of controls, taking the flat position that nothing short of wiping out price controls would do.

In completely unabashed fashion, Grede asserted that "An analysis of the present supply situation for consumer goods reveals no serious or significant inflationary pressures. Only artificially created shortages and emergencies could cause serious imbalance." To end the underlying inflationary pressures implicit in the Government's armaments build-up, he offered the usual NAM program: Cuts in Government spending (and in services to agriculture, resource development, and human welfare, budget-balancing partly by shifting the tax load to consumers via the sales tax, use of indirect controls like credit curbs, and letting businessmen do that which they find to be profitable.

Resolutely forgetting the 1946 NAM-sponsored full-page ads that promised lower prices with controls out of the way, and the ensuing price skyrocketing after the OPA was killed, Grede claimed that it was the threat of controls and consequent scare-buying that caused the post-Korea inflation, not scarcity. He did not mention deliberate profit-gouging, and no one asked him about that. But he did deny that corporate profits are excessive, or that they were in 1950 and 1951.

Grede and other business spokesmen also pitched much of their appeals on the burden of OPS compliance paper work, emphasizing how time consuming and expensive it is. But the judgment of those who suspected that the paperwork nuisance, real as it may well be, was being used as a front for other motives seemed to be confirmed by the cottonseed oil-price case.

The OPS rolled back the ceiling price on cottonseed oil from 23.5 cents a pound to 18 cents, and suspended controls on the product at the same time because it was selling well below ceiling. The OPS said controls would stay off as long as prices remained well below ceiling, but that if they approached it controls would go on again at

the new ceiling. President Harold A. Young of the National Cotton Council asked Congress to forbid roll-backs below the ceilings in effect April 25, 1952, because he feared similar roll-backs on raw cotton and cotton textiles (which have since been announced). Demonstrating that the chief concern is price, not paperwork, Young said that "the cotton industry would greatly prefer to operate under the present system rather than be subjected to an OPS roll-back type of suspension." The cotton council evidently expects prices to rise and wants room for them to do so.

Among groups which plumped for ending of all price controls, besides the Corn Belt Livestock Feeders Association and NAM, were: American Bankers Association, American Farm Bureau Federation, Chamber of Commerce of the United States, Machinery & Allied Products Institute, National Creameries Association, National Cotton Council, National Livestock Producers Association, National Retail Lumber Dealers Association, Texas and Southwestern Cattle Raisers' Association, and Western States Meat Packers Association.

The forty-odd trade associations asking for decontrol for their industries included those in petroleum, rubber tire, construction, textile, food production and processing, retail, and trucking fields.

In addition, retention of the Herlong and Capehart amendments to the 1951 act, or extension of their coverage to the respective industries, was sought by a number of industry spokesmen. The Herlong amendment, sponsored by Representative A. S. HERLONG, Democrat, of Florida, requires that traditional pre-Korea percentage mark-ups taken by merchants shall not be interfered with by the OPS. It is one of the built-in engines of inflation within the price-control law, especially since it permits retailers to figure a percentage mark-up for themselves even on the excise taxes they collect.

The Capehart amendment * * * allows cost increases incurred before July 26, 1951, to be passed along in higher ceiling prices at any time the manufacturer or processor decides to apply for such an increase. It has been a relatively unused gimmick thus far, but when other factors start to move prices upward and firms begin to feel sure they can get more for their products, hundreds of thousands of Capehart increases will be applied for as the July 26 cut-off date governs the cost increases, not the ceiling-increase applications. Some business groups are asking for a roll-forward of the July 26 cut-off date to sometime this year, thus enlarging a loophole.

The Hudson, Kaiser-Fraser, Packard, Nash, and Studebaker auto manufacturers struck a curious note when they sent Senator Maybank a letter supporting retention of the Capehart amendment, partly on the grounds that repeal of that provision, plus a ceiling roll-back, would give the Big Three auto firms a competitive advantage over the smaller companies. They recalled that in December 1950 the Government rolled back General Motors and Ford prices and prevented Chrysler increases, while permitting the smaller firms, which had increased prices before the freeze, to sell at their higher prices.

Complained Hudson et al., "The abnormally low prices of General Motors, Ford, and Chrysler which they were forced to maintain by the OPS, had the effect of taking business from the smaller companies. This is a situation harmful to the smaller companies which we are certain Congress will not knowingly recreate." The layman might suppose that without the Capehart amendment the five firms were forbidden to decrease their prices competitively.

Senate and House action on price controls is coming to a head unless business-minded

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued July 1, 1952

For actions of June 30, 1952

82nd-2nd, No. 116

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House passed price-support levels bill. House concurred in Senate amendments to sea-water research bill. Ready for President. Conferees agreed to file reports on agricultural and independent-offices appropriation bills. House passed bill reducing minimum allotments on burley tobacco. House passed bill to combine two insect-research stations. House committee reported weather-control study bill.

HOUSE

- 1. PRICE SUPPORTS.** Passed without amendment H. R. 8122, which would continue dual parity for two additional years (through 1955) and would continue 90%-of-parity price supports on basic commodities for a similar period; by a 207-121 vote (pp. 8690-705). Rejected, 21-67, a Javits amendment to eliminate the dual-parity provision (pp. 8698-9). Rejected, 43-62, a Hays of Ohio amendment to eliminate peanuts from the 90%-loan provision (pp. 8699-704). Rejected, 79-165, a Javits motion to recommit the bill (pp. 8704-5).
- 2. APPROPRIATIONS.** The conferees on H. R. 7314, the agricultural appropriation bill, agreed to file a report thereon (p. D670).
The conferees on H. R. 7072, the independent offices appropriation bill, agreed to file a second (revised) conference report (p. D670). Earlier in the day Rep. Sheppard was appointed as a substitute conferee for Rep. Gore (p. 8669).
House conferees were appointed on H. R. 7216, the D. C. appropriation bill; H. R. 7313, the legislative appropriation bill; and H. R. 7268, the Army civil functions appropriation bill (pp. 8667, 8670, 8688). Senate conferees have been appointed on these bills.
- 3. RESEARCH.** Concurred in the Senate amendments to H. R. 6578, to authorize the Interior Department, in cooperation with other public and private agencies, to conduct research and demonstrations on the use of sea water for irrigation, etc. (pp. 8667-9). This bill will now be sent to the President.

The Interstate and Foreign Commerce Committee reported without amendment S. 2225, to provide for a study and evaluation of weather control (H. Rept. 2360)(p. 8713).

The Interstate and Foreign Commerce Committee reported with amendment H. J. Res. 218, to provide for intensified research into the causes, hazards, and effects of air pollution, into methods for its prevention and control and for recovery of critical materials from atmospheric contaminants (H. Rept. 2359) (p. 8713).

Passed as reported H. R. 7952, to authorize the combination of the Truck Crop Insect Laboratory and the Citrus Insect Laboratory of E&PQ at Alhambra and Whittier, Calif. (p. 8674).

4. TOBACCO ALLOTMENTS. Passed as reported H. R. 8170, to permit burley tobacco farm acreage allotments to be reduced to a minimum of 7/10 acre, provided that no allotment of 1 acre or less may be reduced more than 1/10 acre per year (pp. 8674-5).
5. LAND TRANSFER. Passed without amendment S. 2603, to authorize return to Oregon, for fish-hatchery use, a 2-acre tract which had previously been donated by that State for USDA use (p. 8674). This bill will now be sent to the President.
6. CHEMICALS IN FOODS. Received a report from the Delaney Committee (H. Rept. 2356) (p. 8713)...The "Daily Digest" states: "In the report tribute is paid to the food industry, stating that the industry is entitled to considerable credit for the progress of research in the field of nutrition, and that this has resulted in an improvement in the health and nutritional status of millions. The committee stated, however, that the evidence had convinced it that the public is nevertheless in need of additional protection against small, irresponsible elements, as well as against the possible inadvertent mistakes of reputable food processors and premature enthusiasms of chemical manufacturers." (p. D669.)
7. EMERGENCY POWERS. The conferees on H. J. Res. 477, to continue various emergency war powers, agreed to file a report (p. D670).
8. VETERANS' BENEFITS. House conferees were appointed on H. R. 7656, the GI Bill of Rights for veterans of the Korean conflict (p. 8667). Senate conferees have been appointed.
9. PUERTO RICO. Agreed to the conference report on H. J. Res. 430, approving the Puerto Rican constitution (p. 8669).
10. BUILDINGS. Concurred in the Senate amendment to H. J. Res. 393, authorizing Government buildings and grounds to be used in connection with the 1953 inauguration (pp. 8669-70). This bill will now be sent to the President.
11. IMPORT CONTROLS. Rep. Andresen gave his analysis of the changes made by the conferees in the import-control provision of S. 2594, the defense production bill (pp. 8672-3).
12. FOREIGN TRADE. Rep. Smith, Miss., said the "Buy-American" policy is a "costly fallacy" (pp. 8705-8).
13. PUBLIC-LAND LAWS. Rep. Bentsen urged that the Interior and Insular Affairs Committee prepare a proposed revision of the public-land laws instead of having a commission to perform this task (pp. 8710-12).
14. INVESTIGATIONS. Agreed, as reported, to H. Res. 263, providing \$150,000 additional for investigations of the Expenditures Committee (p. 8712).

ministrative Resolutions in today's House Chamber Action.)

SEA BOUNDARIES

Committee on Interior and Insular Affairs: Bentsen Subcommittee on Public Lands considered, but took no final action on, H. J. Res. 373 and H. Res. 684, similar resolutions declaring boundaries of the inland or internal waters of the U. S. to be as far seaward as is permissible under international law, and providing for a survey of such boundaries to be made by the U. S. Coast and Geodetic Survey in the light of the Anglo-Norwegian Fisheries case. Representative Yorty, author of both measures, spoke on their behalf, while Philip P. Perlman, U. S. Solicitor General, spoke in opposition to the proposals.

SMOG—MUNITIONS—WEATHER— HEALTH SERVICE

Committee on Interstate and Foreign Commerce: Ordered the following bills reported to the House—

H. J. Res. 218, amended, to provide for intensified research into the causes, hazards, and effects of air pollution, into methods for its prevention and control and for recovery of critical materials from atmospheric contaminants;

S. 1429, amended, to prohibit transportation in interstate or foreign commerce of lethal munitions under certain conditions;

S. 2225, to create a committee to study and evaluate public and private experiments in weather modification;

H. R. 7722, to amend Public Health Service Act so as to provide for equality of grade, pay, and allowance between the Chief Medical Officer of the Coast Guard and comparable officers of the Army;

H. R. 5954, to provide for the release to the city of Camden of all the right, title, and interest of the United States in and to certain land heretofore conditionally granted to such city; and

H. R. 8272, to provide for the conveyance by the United States to Fulton County, a political subdivision of Georgia, of certain land in said county.

In a public hearing on the joint resolution on air pollution, the committee heard supporting testimony from Representative Murphy, who introduced it in the House, along with Cornelius A. Hall, president of the Borough of Richmond, Staten Island, N. Y.; Dr. Natale Colosi, commissioner, Interstate Sanitation Commission for New York, New Jersey, and Connecticut; Dr. Milton S. Lloyd, president, Richmond County Medical Society, Staten Island; Dr. Louis McCabe, Bureau of Mines, Department of the Interior; Assemblyman Edward Curry, Staten Island; and Dr. Seward E. Miller, U. S. Public Health Service, Washington, D. C.

JUDICIAL REVIEWS—IMMIGRATION— EUROPEAN REFUGEES

Committee on the Judiciary: Subcommittee No. 1 approved for reporting to the full committee H. R. 6404, amended, to amend Public Law 404 (79th Cong.), relating to judicial review of agency decisions; and S. Con. Res. 81, amended, suspension of certain deportation proceedings. Also approved 19 private immigration bills (2 of the House and 17 of the Senate); and reported adversely on 42 other private immigration bills of the House.

H. R. 7376, to authorize the issuance of 300,000 special nonquota immigration visas to certain refugees, persons of German ethnic origin, and natives of Italy, Greece, and the Netherlands, was ordered reported to the full committee without recommendation.

ATTORNEYS' LIENS

Committee on the Judiciary: Subcommittee No. 2 approved for reporting to the full committee S. 2546, amended, to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States. During a hearing on this measure, at which time H. R. 6405, a similar bill, was also considered, the committee heard the following witnesses—Representative Walter; Robert F. Keller, attorney in the U. S. Comptroller General's Office; John K. Carlock, attorney in the Treasury Department; and the following attorneys located in the Washington, D. C., area—Ralph D. Pittman, Raoul Berger, and Alton S. Bradford.

MINE SAFETY

Committee on Rules: Held further hearing on a rule for H. R. 7408, the coal-mine safety bill, and received testimony in favor of the legislation from Representatives Bailey, Secrest, Elliott, Saylor, Denton, Bragg, and Flood. Opposition views were presented by Representatives Lucas, Werdell, and Smith of Kansas. Committee will meet in an executive session on the same subject tomorrow morning.

CHEMICALIZED FOODS

Select Committee To Investigate the Use of Chemicals in Foods and Cosmetics: Chairman Delaney submitted to the House the third section of a four-part committee report entitled "Food." In the report tribute is paid to the food industry, stating that the industry is entitled to considerable credit for the progress of research in the field of nutrition, and that this has resulted in an improvement in the health and nutritional status of millions. The committee stated, however, that the evidence had convinced it that the public is nevertheless in need of additional protection against small, irresponsible elements, as well as against the possible inadvertent mistakes of reputable food processors and premature enthusiasms of chemical manufacturers.

Joint Committee Meetings

APPROPRIATIONS—AGRICULTURE

Conferees on H. R. 7314, Agriculture Department appropriations for 1953, in executive session, agreed to file a conference report on the differences between the House- and Senate-passed versions of the bill.

COMMUNICATIONS ACT

Conferees, in executive session, tentatively concluded work on the differences between the House- and Senate-passed versions of S. 658, to amend the Communications Act of 1934 (amending organizational, procedural, and appellate sections). *Conferees* will meet again tomorrow afternoon when they will review the report of the agreements to date.

EMERGENCY POWERS EXTENSION

Conferees, in executive session, agreed to file a conference report on the differences between the House- and

Senate-passed versions of H. J. Res. 477, to continue certain statutory provisions for the duration of the national emergency and 6 months thereafter. *Conferees* accepted the House version of the bill, except that the expiration date was changed from June 30, 1953, to not later than April 1, 1953.

INDEPENDENT OFFICES APPROPRIATIONS

Conferees on H. R. 7072, independent offices appropriations for 1953, in executive session, agreed to file a second conference report on the differences between the House- and Senate-passed versions of the bill. The first conference report was recommitted by the House on June 26.

RESERVE COMPONENTS

Conferees on H. R. 5426, relating to reserve components of the Armed Forces, met in executive session to work out the differences between the House- and Senate-passed versions of the bill, but did not conclude. *Conferees* meet again tomorrow.

BILLS SIGNED BY THE PRESIDENT

New Laws

(For last listing of public laws, see Digest, p. D562)

H. R. 5678, to revise the immigration and naturalization laws. Became law June 27, 1952, over President's veto (P. L. 414).

S. 2610, providing that excess-land provisions of Federal reclamation laws shall not apply to certain lands receiving water supply from San Luis Valley project, Colorado. Signed June 27, 1952 (P. L. 415).

S. 677, to fix the personnel strength of the U. S. Marine Corps, and to authorize the Commandant of the Marine Corps to sit with the Joint Chiefs of Staff when matters affecting the Marines are at hand. Signed June 28, 1952 (P. L. 416).

S. 1032, authorizing certain States to pool royalties from school lands. Signed June 28, 1952 (P. L. 417).

S. 1283, to increase the statutory limitation on the numerical strength of the White House Police force from 133 to 170. Signed June 28, 1952 (P. L. 418).

S. 1536, to stabilize the economy of New Mexico residents on North Lobato and El Pueblo tracts and to effect transfer of such lands to the Forest Service. Signed June 28, 1952 (P. L. 419).

H. R. 6291, providing that until January 1, 1954, the States and Federal Government may enter into voluntary agreements to place State employees under social security, the effective date of which shall cover service rendered previous to the date of agreement. Signed June 28, 1952 (P. L. 420).

H. R. 6635, to exempt from taxation certain property of the AMVETS, American Veterans of World War II, in the D. C. Signed June 28, 1952 (P. L. 421).

H. R. 7030, to eliminate the requirement of oaths for bids for contracts to perform mail transportation and all claims for railroad and air-mail service. Signed June 28, 1952 (P. L. 422).

H. R. 7253, to authorize the conveyance of certain parcels of land to Columbia Hospital in D. C. Signed June 28, 1952 (P. L. 423).

H. R. 7496, extending the period for authorization for appropriations to establish a modern, adequate, and efficient hospital center in the D. C. Signed June 28, 1952 (P. L. 424).

COMMITTEE MEETINGS FOR TUESDAY, JULY 1

(All meetings are open unless otherwise designated)

Senate

Committee on Appropriations, executive, on H. R. 8370, supplemental appropriations, 10:30 a. m., room F-37, Capitol.

Committee on Armed Services, subcommittee, executive, to mark up H. R. 8120, military public works, 10 a. m., 212 Senate Office Building.

Committee on Banking and Currency, Subcommittee on Housing and Rents, to hear Walter L. Greene testify in behalf of his nomination to be Federal Housing Commissioner, 10 a. m., 301 Senate Office Building.

Committee on Interior and Insular Affairs, subcommittee, on H. R. 5368, Santa Margarita River irrigation, 10 a. m., 224 Senate Office Building.

Committee on the Judiciary, subcommittee, on nomination of Ashton H. Williams to be judge of eastern district of South Carolina, Herman E. Moore to be judge of district of Virgin Islands, Guthrie F. Crowe to be U. S. district judge for district of Canal Zone, 10 a. m.; full committee, executive, on committee business, 10:30 a. m., both in 424 Senate Office Building.

Committee on Post Office and Civil Service, executive, on calendar, and postmaster nominations, 2:30 p. m., room P-38, Capitol.

EMERGENCY POWERS CONTINUATION ACT

JULY 2, 1952.—Ordered to be printed

Mr. CELLER, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. J. Res. 477]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

Strike out all after the enacting clause and insert *That notwithstanding the termination on April 28, 1952, of the existence of a state of war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—*

(a) *The following statutory provisions, and the authorizations conferred and liabilities imposed thereby, in addition to coming into full force and effect in time of war or otherwise where their terms so provide, shall remain in full force and effect until six months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or until such earlier date or dates as may be provided by the Congress by concurrent resolution either generally or for a particular statutory provision or by the President either generally by proclamation or for a particular statutory provision, but in no event beyond April 1, 1953, notwithstanding any other terminal date or provision of law with respect to such statutory provisions and notwithstanding any limitation, by reference to war or national emergency, of the time during or for which authorizations or liabilities thereunder*

may be exercised or imposed; and acts or events of the kind giving rise to legal consequences under any of those provisions when performed or occurring during the state of war which terminated on April 28, 1952, shall give rise to the same legal consequences when they are performed or occur during the period above provided for:

(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201); and, effective for the period of time provided for in the opening paragraph of this subsection, section 1 of said Act of December 17, 1942, is amended by inserting "or the maintenance of the national defense" after "the prosecution of war".

(2) Act of March 27, 1942 (ch. 199, secs. 1301-1304, 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

(3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

(4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 1171, (a), 1171 (b)); and the authority thereby granted to the Secretary of the Army is hereby conferred on the Secretary of the Navy, to be exercised by him on behalf of the Department of the Navy, using naval appropriations for the purpose.

(5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

(6) Act of January 2, 1942 (ch. 645, sec. 7), as added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

(7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14, and 15, 56 Stat. 143-147), as amended (50 U. S. C. App. 1001-1012, 1014, and 1015), and as extended by section 4 (e) of the Act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the period of time provided for in the opening paragraph of this subsection, sections 2, 6, 9, 12, and 14 of said Act of March 7, 1942, as they read immediately before the enactment of Public Law 313, Eighty-second Congress, are amended as follows, and, as so amended, are further extended in accordance with section 4 (e) of said Act of June 24, 1948:

(A) Section 2 (50 U. S. C. App. 1002) is amended by deleting "interned in a neutral country, captured by an enemy" and inserting in lieu thereof "interned in a foreign country, captured by a hostile force."

(B) Section 6 (50 U. S. C. App. 1006) is amended by deleting "in the hands of an enemy or is interned in a neutral country" and inserting in lieu thereof "in the hands of a hostile force or is interned in a foreign country"

(C) Section 9 (50 U. S. C. App. 1009) is amended by deleting "in the lands of an enemy" and inserting in lieu thereof "in the hands of a hostile force" and by deleting "such enemy" and inserting in lieu thereof "such hostile force".

(D) Section 12 (50 U. S. C. App. 1012) is amended by deleting "interned in a neutral country, or captured by the enemy" and inserting in lieu thereof "interned in a foreign country, or captured by a hostile force".

(E) Section 14 (50 U. S. C. App. 1014) is amended to read as follows:
 "SEC. 14. The provisions of this Act applicable to persons captured by a hostile force shall also apply to any person beleaguered or besieged by a hostile force."

(8) Act of December 4, 1942 (ch. 674, secs. 2, 3, and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

(9) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

(10) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

(11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-391; 50 U. S. C. App. 781-785).

(12) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said Act of October 14, 1940, continue to exist during the period of time provided for in the opening paragraph of this subsection.

(13) Act of December 2, 1942 (ch. 668, titles I and II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706, 1711-1717). Effective for the period of time provided for in the opening paragraph of this subsection, the following terms, as used in titles I and II of said Act of December 2, 1942, and the terms "allies" and "war effort", as used in the statutory provisions referred to in section 101 (a) (1) of said Act (42 U. S. C. 1701 (a) (1)), have the following meanings: The term "enemy" means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies. The term "allies" means any nation, government, or force participating with the United States in any armed conflict. The terms "national war effort" and "war effort" include national defense. The term "war activities" includes activities directly related to military operations.

(14) The paragraph designated "(2)" which was inserted into the Act of March 3, 1909 (ch. 255, 35 Stat. 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60; 34 U. S. C. 533).

(15) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the Act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

(16) Act of December 23, 1944 (ch. 716, 58 Stat. 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

(17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59 Stat. 505; 5 U. S. C. 801); and, effective for the period of time provided for in the opening paragraph of this subsection the term "enemy" as used in section 5 (b) of said Act of July 28, 1945, means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any nation, government, or force participating with the United States in any armed conflict.

(18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

(19) Act of October 17, 1942 (ch. 615, secs. 1-4, 56 Stat. 796; 36 U. S. C. 179-182).

(20) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

(21) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the Act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

(22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

(23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

(24) *The eighth paragraph (designated "Military traffic in time of war") of section 6 of the Act of February 4, 1887, chapter 104, as that section was amended by section 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).*

(25) *Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by Act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).*

(26) *Act of February 4, 1887 (ch. 104, sec. 420), as added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020).*

(27) *Act of June 6, 1941 (ch. 174, 55 Stat. 242-245), as amended (50 U. S. C. App. 1271-1275).*

(28) *Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).*

(29) *Title 18, United States Code, sections 794, 2153, 2154, and 2388. Effective in each case for the period of time provided for in the opening paragraph of this subsection, title 18, United States Code, section 2151, is amended by inserting "or defense activities" immediately before the period at the end of the definition of "war material" and said sections 2153 and 2154 are amended by inserting the words "or defense activities" immediately after the words "carrying on the war" wherever they appear therein.*

(30) *Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the Act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223-226b).*

(31) *Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90-96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms "prosecution of the war" and "conditions of wartime production", as used in said Act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.*

(32) *Title 28, United States Code, section 2680 (j).*

(b) *The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond April 1, 1953, any other provision of law with respect thereto to the contrary notwithstanding:*

(1) *Those portions of section 37 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.*

(2) *The second sentence of section 40b of the Act of June 3, 1916, as added by section 33 of the Act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).*

(3) *Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 850i).*

(4) *Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).*

(5) *Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).*

(6) *Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).*

(7) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

(c) The President is authorized to continue in effect until and including April 1, 1953, all appointments as officers and as warrant officers of the Army and of the Air Force which under the following provisions of law would terminate after April 27, 1952, and before April 1, 1953:

(1) Sections 37 and 38 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C. 358, 32 U. S. C. 19), and section 127a of that Act as added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785), as amended (10 U. S. C. 513).

(2) Section 515 (e) of the Act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

(3) Section 3 of the Act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a).

SEC. 2. (a) Section 5 (m) of the Act of May 18, 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is amended by inserting before the period at the end thereof "or, until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide but in no event after April 1, 1953, to nations associated with the United States in defense activities".

(b) The second proviso of section 1 of the Act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), is amended to read: "Provided, That if such accident or incident occurs in time of war, or if war intervenes within two years after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established, but if such accident or incident occurs after December 6, 1939, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within one year after the termination of that national emergency or April 1, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 2 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e).

(c) The second proviso of section 1 of the Act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), is amended to read: "Provided, That if such accident or incident occurs in time of war, or if war intervenes within one year after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established, but if such accident or incident occurs after June 23, 1950, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within one year after the termination of that national emergency or April 1, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 1 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d).

SEC. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this joint resolution is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

SEC. 4. Nothing in this joint resolution shall be construed to repeal or modify section 601 of Public Law 155, Eighty-second Congress, first session, relative to coming into agreement with the Committee on Armed Services of the Senate and of the House of Representatives with respect to real-estate actions by or for the use of the military departments or the Federal Civil Defense Administration.

SEC. 5. If any provision of this joint resolution, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this joint resolution, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 6. Public Laws 313 and 368, Eighty-second Congress, are repealed without effect upon rights accrued, liabilities incurred, or actions taken thereunder.

SEC. 7. Sections 1 through 6 of this joint resolution shall take effect June 16, 1952.

SEC. 8. This joint resolution may be cited as the "Emergency Powers Continuation Act".

And the Senate agree to the same.

Amend the title so as to read: "Joint resolution to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond April 1, 1953."

EMANUEL CELLER,
MICHAEL A. FEIGHAN,
E. L. FORRESTER,
CHAUNCEY W. REED,
J. CALEB BOGGS,
PATRICK J. HILLINGS,

Managers on the Part of the House.

PAT McCARRAN,
JAMES O. EASTLAND,
HOMER FERGUSON,

Managers on the Part of the Senate.

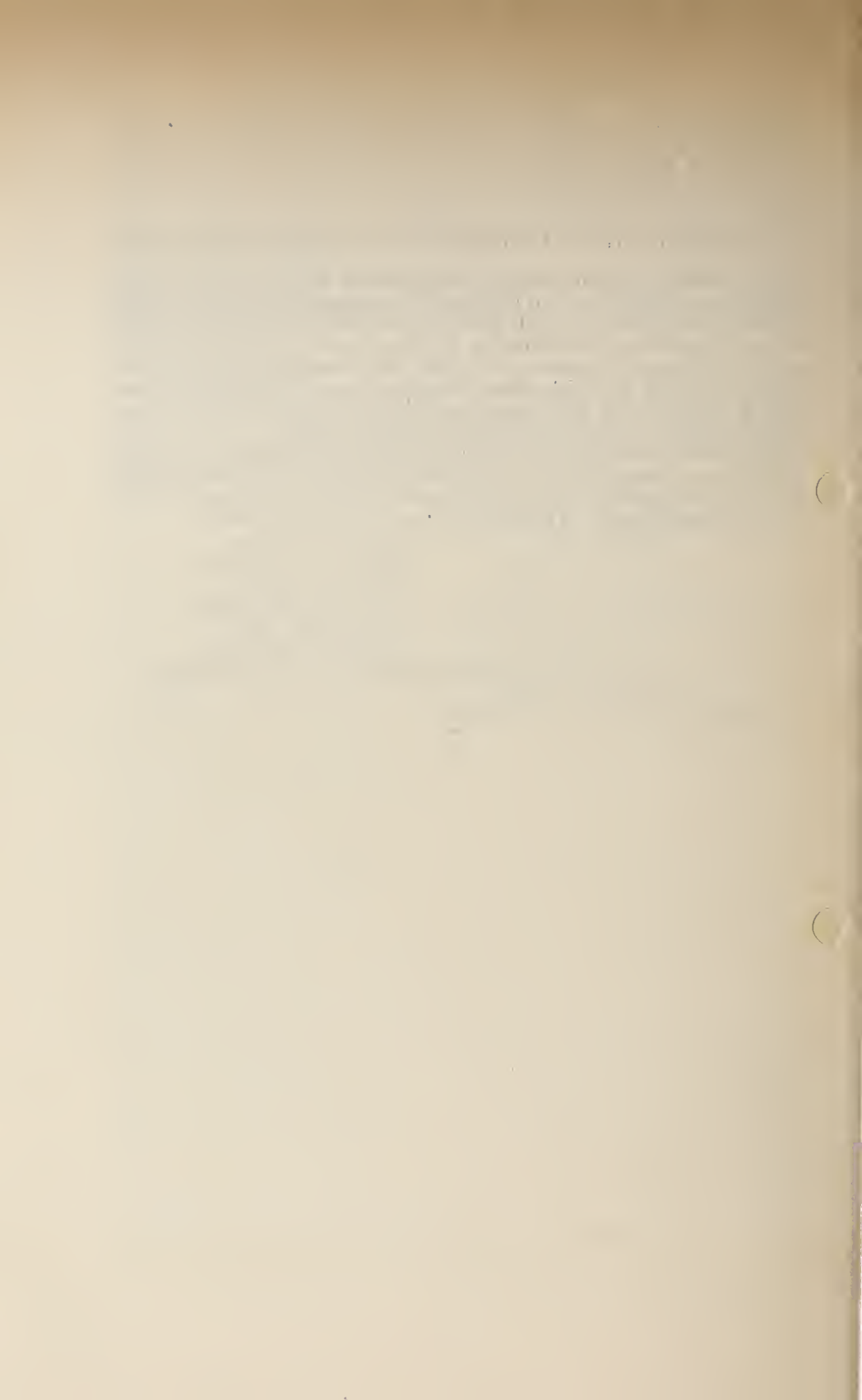
STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate receded from its amendments and agreed to the joint resolution as passed by the House except that the authorizations are to extend only until April 1, 1953, instead of June 30, 1953, as provided in the House version. The House agrees to this amendment.

EMANUEL CELLER,
MICHAEL A. FEIGHAN,
E. L. FORRESTER,
CHAUNCEY W. REED,
J. CALIB BOGGS,
PATRICK J. HILLINGS,

Managers on the Part of the House.



June 30, 1952, is hereby continued available during the fiscal year 1953."

The motion was agreed to.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that amendments numbered 8, 9, 10, 11, 37, 68, and 86 be considered en bloc. They are technical amendments, and not controversial in any way.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. PHILLIPS. Reserving the right to object, why not include the whole list.

Mr. THOMAS. I do not think that can be done under the rules of the House. They are not in disagreement.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Clerk will report the amendments in disagreement.

The Clerk read as follows:

Senate amendment No. 8: On page 5, line 5, strike out "\$619,500" and insert "\$400,000."

Senate amendment No. 9: Page 5, line 5, insert "and in addition, the Commission is authorized to utilize for carrying out the purposes of this appropriation, without dollar reimbursement from this or any other appropriation, foreign currencies or credits owed to or owned by the Treasury of the United States in an amount not exceeding \$319,550, and the Secretary of the Treasury is directed to make such foreign currencies or credit available to the Commission in the amount stated: *Provided*."

Senate amendment No. 10: On page 6, line 4, strike out "\$1,000,000" and insert "\$500,000."

Senate amendment No. 11: On page 6, line 4, insert "to remain available until expended, and, in addition, the Commission is authorized to utilize for carrying out the purposes of this appropriation, without dollar reimbursement from this or any other appropriation, foreign currencies or credits owed to or owned by the Treasury of the United States in an amount not exceeding \$4,500,000, and the Secretary of the Treasury is directed to make such foreign currencies or credits available to the Commission in the amount stated."

Senate amendment No. 37: On page 24, line 5, insert "including contractual services incident to receiving, handling and shipping warehouse items, and."

Senate amendment No. 68: On page 36, line 3, insert:

"Appropriations for the Selective Service System may be used for the destruction of records accumulated under the Selective Training and Service Act of 1940, as amended, which are hereby authorized to be destroyed by the Director of Selective Service after compliance with the procedures for the destruction of records prescribed pursuant to the Records Disposal Act of 1943, as amended (44 U. S. C. 366-380): *Provided*, That no records may be transferred to any other agency without the approval of the Director of Selective Service."

Senate amendment No. 86: On page 48, line 3, insert: "Reduction in appropriation. The unobligated balance of the funds available for necessary expenses of the National Capital Sesquicentennial Commission, as authorized by the Acts of July 18, 1947 (Public Law 203), and May 31, 1949 (Public Law 78), is hereby rescinded effective July 1, 1952, except for necessary liquidating expenses, and such sum shall be carried to the surplus fund and covered into the Treasury immediately upon the approval of this act."

Mr. THOMAS moves that the House recede and concur in amendments of the Senate numbered 8, 9, 10, 11, 37, 68, and 86.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: On page 9, line 3, insert "That there shall be transferred to and merged with this appropriation that portion of the unexpended balances of prior year appropriations included under the appropriation for Operating Expenses which is applicable to Plant and Equipment, and amounts so transferred together with the foregoing appropriation shall remain available until expended: *Provided further*."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 17, and concur therein with an amendment, as follows: In line 7 of said amendment, strike out the word "expended" and insert in lieu thereof "June 30, 1953."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: On page 10, line 12, insert:

"Any appropriation available under this act or heretofore made to the Atomic Energy Commission may initially be used to finance the procurement of materials, services, or other costs which are a part of work or activities for which funds have been provided in any other appropriation available to the Commission: *Provided*, That appropriate transfers or adjustments between such appropriations shall subsequently be made for such costs on the basis of actual application determined in accordance with generally accepted accounting principles.

"Not to exceed 5 percent of any appropriation under this head may be transferred to any other such appropriation but no such appropriation shall be increased by more than 5 percent by any such transfers."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 19, and concur therein with an amendment, as follows: In line 8 of said amendment, after the word "used", insert "during the fiscal year 1953."

The motion was agreed to.

The Clerk read as follows:

Amendment No. 46: Page 26, line 21 insert: "Defense Community Facilities and Services: During the current fiscal year not to exceed \$225,000 of the appropriation granted under this head in the Second Supplemental Appropriation Act, 1952, shall be available for administrative expenses in connection with the construction of facilities under such appropriation."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 46 with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein

with an amendment, as follows: In line 2 of said amendment, strike out the sum "\$225,000", and insert "\$112,500."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 48: Page 29, line 4, strike out lines 4 to 9, inclusive.

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 48, and concur therein with an amendment, as follows: In lieu of the matter stricken out by said amendment, insert the following: "*Provided further*, That no housing unit constructed under the United States Housing Act of 1937, as amended, shall be occupied by a person who is a member of an organization designated as subversive by the Attorney General: *Provided further*, That the foregoing prohibition shall be enforced by the local housing authority, and that such prohibition shall not impair or affect the powers or obligations of the Public Housing Administration with respect to the making of loans and annual contributions under the United States Housing Act of 1937, as amended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 130: Page 73, line 24, insert:

"Sec. 406. (a) No part of the money appropriated by this act to any department, agency, or corporation or made available for expenditure by any department, agency, or corporation which is in excess of 75 percent of the amount required to pay the compensation of all persons the budget estimates for personal services heretofore submitted to the Congress for the fiscal year 1953 contemplated would be employed by such department, agency, or corporation during such fiscal year in the performance of—

"(1) functions performed by a person designated as an information specialist, information and editorial specialist, publications and information coordinator, press relations officer or counsel, photographer, radio expert, television expert, motion-picture expert, or publicity expert, or designated by any similar title, or

"(2) functions performed by persons who assist persons performing the functions described in (1) in drafting, preparing, editing, typing, duplicating, or disseminating public information publications or releases, radio or television scripts, magazine articles, photographs, motion pictures, and similar material,

shall be available to pay the compensation of persons performing the functions described in (1) or (2).

"(b) This section shall not apply: To persons employed by the General Services Administration in the performance of functions or related assisting or supporting functions in connection with the publication of the Federal Register, or to persons engaged in functions of the Civil Service Commission related to (1) the preparation and issuance of materials relating to the recruitment of personnel for the Federal service, and (2) the compilation of the Official Register of the United States."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the

Senate amendment with an amendment. The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 130, and concur therein with an amendment, as follows: At the end of said amendment following the words "United States", and before the period, insert a comma and the following: "or to any department, agency, or corporation which does not employ more than two persons at any one time in the performance of functions described in paragraphs (1) or (2) of subsection (a) of this section."

The motion was agreed to.

By unanimous consent, a motion to reconsider the vote by which the various motions were agreed to was laid on the table.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TO CONTINUE CERTAIN STATUTORY PROVISIONS DURING THE NATIONAL EMERGENCY PROCLAIMED DECEMBER 16, 1950, AND 6 MONTHS THEREAFTER

Mr. FEIGHAN submitted the following conference report and statement on the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, for printing in the RECORD:

CONFERENCE REPORT (H. REPT. NO. 2444)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: Strike out all after the enacting clause and insert "That notwithstanding the termination on April 28, 1952, of the existence of a state of war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

"(a) The following statutory provisions, and the authorizations conferred and liabilities imposed thereby, in addition to coming into full force and effect in time of war or otherwise where their terms so provide, shall remain in full force and effect until six months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or until such earlier date or dates as may be provided by the Congress by concurrent resolution either generally or for a particular statutory provision or by the President either generally by proclama-

tion or for a particular statutory provision, but in no event beyond April 1, 1953, notwithstanding any other terminal date or provision of law with respect to such statutory provisions and notwithstanding any limitation, by reference to war or national emergency, of the time during or for which authorizations or liabilities thereunder may be exercised or imposed; and acts or events of the kind giving rise to legal consequences under any of those provisions when performed or occurring during the state of war which terminated on April 28, 1952, shall give rise to the same legal consequences when they are performed or occur during the period above provided for:

"(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201); and, effective for the period of time provided for in the opening paragraph of this subsection, section 1 of said Act of December 17, 1942, is amended by inserting 'or the maintenance of the national defense' after 'the prosecution of war'.

"(2) Act of March 27, 1942 (ch. 199, secs. 1301-1304, 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

"(3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

"(4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 1171 (a), 1171 (b)); and the authority thereby granted to the Secretary of the Army is hereby conferred on the Secretary of the Navy, to be exercised by him on behalf of the Department of the Navy, using naval appropriations for the purpose.

"(5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 App. 761, 767, 771).

"(6) Act of January 2, 1942 (ch. 645, sec. 7), as added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

"(7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14, and 15, 56 Stat. 143-147), as amended (50 U. S. C. App. 1001-1012, 1014, and 1015), and as extended by section 4 (e) of the Act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the period of time provided for in the opening paragraph of this subsection, sections 2, 6, 9, 12, and 14 of said Act of March 7, 1942, as they read immediately before the enactment of Public Law 313, Eighty-second Congress, are amended as follows, and, as so amended, are further extended in accordance with section 4 (e) of said Act of June 24, 1948:

"(A) Section 2 (50 U. S. C. App. 1002) is amended by deleting 'interned in a neutral country, captured by an enemy' and inserting in lieu thereof 'interned in a foreign country, captured by a hostile force'.

"(B) Section 6 (50 U. S. C. App. 1006) is amended by deleting 'in the hands of an enemy or is interned in a neutral country' and inserting in lieu thereof 'in the hands of a hostile force or is interned in a foreign country'.

"(C) Section 9 (50 U. S. C. App. 1009) is amended by deleting 'in the lands of an enemy' and inserting in lieu thereof 'in the hands of a hostile force' and by deleting 'such enemy' and inserting in lieu thereof 'such hostile force'.

"(D) Section 12 (50 U. S. C. App. 1012) is amended by deleting 'interned in a neutral country, or captured by the enemy' and inserting in lieu thereof 'interned in a foreign country, or captured by a hostile force'.

"(E) Section 14 (50 U. S. C. App. 1014) is amended to read as follows:

"Sec. 14. The provisions of this Act applicable to persons captured by a hostile force shall also apply to any person beleaguered or besieged by a hostile force."

"(8) Act of December 4, 1942 (ch. 674, secs. 2, 3, and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

"(9) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

"(10) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

"(11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-391; 50 U. S. C. App. 781-785).

"(12) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said Act of October 14, 1940, continue to exist during the period of time provided for in the opening paragraph of this subsection.

"(13) Act of December 2, 1942 (ch. 668, titles I and II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706, 1711-1717). Effective for the period of time provided for in the opening paragraph of this subsection, the following terms, as used in titles I and II of said Act of December 2, 1942, and the terms 'allies' and 'war effort', as used in the statutory provisions referred to in section 101 (a) (1) of said Act (42 U. S. C. 1701 (a) (1)), have the following meanings: The term 'enemy' means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies. The term 'allies' means any nation, government, or force participating with the United States in any armed conflict. The terms 'national war effort' and 'war effort' include national defense. The term 'war activities' includes activities directly related to military operations.

"(14) The paragraph designated '(2)' which was inserted into the Act of March 3, 1909 (ch. 255, 35 Stat. 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60; 34 U. S. C. 533).

"(15) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the Act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

"(16) Act of December 23, 1944 (ch. 716, 58 Stat. 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

"(17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 58 Stat. 505; 5 U. S. C. 801); and, effective for the period of time provided for in the opening paragraph of this subsection, the term 'enemy' as used in section 5 (b) of said Act of July 28, 1945, means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any nation, government, or force participating with the United States in any armed conflict.

"(18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

"(19) Act of October 17, 1942 (ch. 615, secs. 1-4, 56 Stat. 796; 36 U. S. C. 179-182).

"(20) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

"(21) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the Act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

"(22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

"(23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

"(24) The eighth paragraph (designated 'Military traffic in time of war') of section 6 of the Act of February 4, 1887, chapter 104, as that section was amended by section 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

"(25) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by Act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

"(26) Act of February 4, 1887 (ch. 104, sec. 420), as added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020).

"(27) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245), as amended (50 U. S. C. App. 1271-1275).

"(28) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

"(29) Title 18, United States Code, sections 794, 2153, 2154, and 2388. Effective in each case for the period of time provided for in the opening paragraph of this subsection, title 18, United States Code, section 2151, is amended by inserting 'or defense activities' immediately before the period at the end of the definition of 'war material' and said sections 2153 and 2154 are amended by inserting the words 'or defense activities' immediately after the words 'carrying on the war' wherever they appear therein.

"(30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223-226b).

"(31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90-96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms 'prosecution of the war' and 'conditions of wartime production', as used in said act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.

"(32) Title 28, United States Code, section 2680 (j).

"(b) The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond April 1, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

"(1) Those portions of section 37 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.

"(2) The second sentence of section 40b of the Act of June 3, 1916, as added by section 33 of the Act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

"(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 8501).

"(4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

"(5) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

"(6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

"(7) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

"(c) The President is authorized to continue in effect until and including April 1, 1953, all appointments as officers and as warrant officers of the Army and of the Air Force which under the following provisions of law would terminate after April 27, 1952, and before April 1, 1953:

"(1) Sections 37 and 38 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C. 358, 32 U. S. C. 19), and section 127a of that Act as added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785), as amended (10 U. S. C. 513).

"(2) Section 515 (e) of the Act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

"(3) Section 3 of the Act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a).

"Sec. 2. (a) Section 5 (m) of the Act of May 18, 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is amended by inserting before the period at the end thereof 'or, until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide but in no event after April 1, 1953, to nations associated with the United States in defense activities'.

"(b) The second proviso of section 1 of the Act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), is amended to read: 'Provided, That if such accident or incident occurs in time of war, or if war intervenes within two years after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established, but if such accident or incident occurs after December 6, 1939, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within one year after the termination of that national emergency or April 1, 1953, whichever is earlier.'; and such section as so amended shall apply to the Navy in accordance with section 2 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e).

"(c) The second proviso of section 1 of the Act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), is amended to read: 'Provided, That if such accident or incident occurs in time of war, or if war intervenes within 1 year after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established, but if such accident or incident occurs after June 23, 1950, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within 1 year after the termination of that national emergency or April 1, 1953, whichever is earlier.'; and such section as so amended shall apply to the Navy in accordance with section 1 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d).

"Sec. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this joint resolution is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

"Sec. 4. Nothing in this joint resolution shall be construed to repeal or modify section 601 of Public Law 155, Eighty-second Congress, first session, relative to coming into agreement with the Committee on Armed Services of the Senate and of the House of Representatives with respect to real-estate actions by or for the use of the military departments or the Federal Civil Defense Administration.

"Sec. 5. If any provision of this joint resolution, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this joint resolution, or the application of such provision to other persons or circumstances, shall not be affected thereby.

"Sec. 6. Public Laws 313 and 368, Eighty-second Congress, are repealed without effect upon rights accrued, liabilities incurred, or actions taken thereunder.

"Sec. 7. Sections 1 through 6 of this joint resolution shall take effect June 16, 1952.

"Sec. 8. This joint resolution may be cited as the 'Emergency Powers Continuation Act'."

And the Senate agree to the same.

Amend the title so as to read: "Joint resolution to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond April 1, 1953."

EMANUEL CELLER,
MICHAEL A. FEIGHAN,
E. L. FORRESTER,
CHAUNCEY W. REED,
J. CALEB BOGGS,
PATRICK J. HILLINGS,

Managers on the Part of the House.

PAT MCCARRAN,
JAMES O. EASTLAND,
HOMER FERGUSON,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate receded from its amendments and agreed to the joint resolution as passed by the House except that the authorizations are to extend only until April 1, 1953, instead of June 30, 1953, as provided in the House version. The House agrees to this amendment.

EMANUEL CELLER,
MICHAEL A. FEIGHAN,
E. L. FORRESTER,
CHAUNCEY W. REED,
J. CALEB BOGGS,
PATRICK J. HILLINGS,

Managers on the Part of the House.

Mr. FEIGHAN. Mr. Speaker, I call up the conference report on the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES

Mr. BROOKS submitted the following conference report and statement on the bill (H. R. 5426) relating to the Reserve components of the Armed Forces of the United States for printing in the RECORD:

CONFERENCE REPORT (H. REPT. NO. 2445)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5426) relating to the reserve components of the Armed Forces of the United States, having met, after full and free conference, have

agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SHORT TITLE

"That this Act may be cited as the 'Armed Forces Reserve Act of 1952'.

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"PART I—GENERAL PROVISIONS

"SEC. 101. When used in this Act—

"(a) 'Duty' means military service of any nature under orders or authorization issued by competent authority.

"(b) 'Active duty' means full-time duty in the active military service of the United States, other than active duty for training.

"(c) 'Active duty for training' means full-time duty in the active military service of the United States for training purposes.

"(d) 'Inactive-duty training' means any of the training, instruction, duty, appropriate duties, or equivalent training, instruction, duty, appropriate duties, or hazardous duty, performed with or without compensation by members of the reserve components of the Armed Forces of the United States as may be prescribed by the appropriate Secretary pursuant to section 501 of the Career Compensation Act of 1949, as amended, or any other provision of law, and in addition thereto includes the performance of special additional duties, as may be authorized by competent authority, by such members on a voluntary basis in connection with the prescribed training or maintenance activities of the unit to which the members are assigned. Work or study performed by such members of the reserve components in connection with correspondence courses of the Armed Forces of the United States shall be deemed inactive-duty training for which compensation is not authorized under the provisions of section 501 of the Career Compensation Act of 1949, as amended. Any inactive-duty training performed by members of the National Guard of the United States or of the Air National Guard of the United States, while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia pursuant to section 92 of the National Defense Act, as amended, or pursuant to any other provision of law, shall be deemed to be in-

active-duty training in the service of the United States as members of one of the reserve components specified in section 202 of this Act.

"(e) 'Armed Forces of the United States' means the Army, Navy, Air Force, Marine Corps, and Coast Guard, including all components thereof.

"(f) 'Member of a reserve component' means a person appointed or enlisted as a Reserve of an Armed Force of the United States or a person who acquires such status by transfer pursuant to law to any of the reserve components specified in section 202 of this Act: *Provided*, That no person shall be a member of the National Guard of the United States or the Air National Guard of the United States unless he first be duly enlisted or appointed in the National Guard or the Air National Guard of the appropriate State, Territory, or the District of Columbia, pursuant to law.

"(g) 'Officer' unless otherwise specified, means a commissioned or warrant officer.

"(h) 'Appropriate Secretary' means—

"(1) the Secretary of the Army with respect to the Army;

"(2) the Secretary of the Navy with respect to the Navy and Marine Corps and, when the Coast Guard is operating as a service in the Navy, the Coast Guard;

"(3) the Secretary of the Air Force with respect to the Air Force; or

"(4) the Secretary of the Treasury with respect to the Coast Guard, when the Coast Guard is operating as a service in the Treasury Department.

"(i) 'Competent authority' means any authority designated by the appropriate Secretary.

"(j) 'Partial mobilization' means that action taken by the Congress or the President pursuant to any provision of law, to effect the entry into the active military service of the United States of such units and members thereof, or of such members not assigned to units organized for the purpose of serving as such, of any reserve component of the Armed Forces of the United States as are required to effect a limited expansion of the active Armed Forces of the United States.

"PART II—RESERVE COMPONENTS GENERALLY

"Chapter 1—Mission and general organization

"SEC. 201. (a) The Congress hereby declares that the reserve components of the Armed Forces of the United States are maintained for the purpose of providing trained units and qualified individuals to be available for active duty in the Armed Forces of the United States in time of war or national emergency, and at such other times as the national security may require, to meet the requirements of the Armed Forces of the United States in excess of those of the regular components thereof, during and after the period needed for procurement and training of additional trained units and qualified individuals to achieve the planned mobilization.

"(b) The Congress further declares, in accordance with our traditional military policy as expressed in the National Defense Act of 1916, as amended, that it is essential that the strength and organization of the National Guard, and the Air National Guard, as an integral part of the first line defenses of this Nation, be at all times maintained and assured. It is the intent of the Congress that whenever Congress shall determine that units and organizations are needed for the national security in excess of those of the Regular components of the ground forces and the air forces, the National Guard of the United States, and the Air National Guard of the United States, or such part thereof as may be necessary, together with such units of the other reserve components as are necessary for a balanced force, shall be ordered into the active military service of the United

States and continued therein so long as such necessity exists.

"SEC. 202. The reserve components are—

"(a) The National Guard of the United States;

"(b) The Army Reserve;

"(c) The Naval Reserve;

"(d) The Marine Corps Reserve;

"(e) The Air National Guard of the United States;

"(f) The Air Force Reserve; and

"(g) The Coast Guard Reserve.

"SEC. 203. The maximum numerical strength of each of the reserve components referred to in section 202 of this Act shall be as authorized by the Congress, or, in the absence of such authorization, shall be fixed by the President.

"SEC. 204. There shall be within each of the Armed Forces of the United States a Ready Reserve, a Standby Reserve, and a Retired Reserve, and each member of the reserve components shall be placed in one of these categories.

"SEC. 205. (a) The Ready Reserve consists of those units or members of the reserve components, or both, who are liable for active duty either in time of war, in time of national emergency declared by the Congress or proclaimed by the President, or when otherwise authorized by law.

"(b) The authorized aggregate personnel strength of the Ready Reserve shall not exceed a total of one million five hundred thousand.

"SEC. 206. (a) The Standby Reserve consists of those units or members of the reserve components (other than members in the Retired Reserve), or both, who are liable for active duty only in time of war or national emergency declared by the Congress, or when otherwise authorized by law.

"(b) Except in time of war, or unless otherwise authorized by Congress—(1) no unit of the Standby Reserve organized for the purpose of serving as such nor the members thereof shall be ordered to active duty unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a military department) determines that adequate numbers of the required types of units of the Ready Reserves are not readily available, and (2) no other member of the Standby Reserve shall be ordered to active duty as an individual without his consent unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a military department) determines that adequate numbers of qualified members of the Ready Reserve in the required category are not readily available.

"SEC. 207. (a) The Retired Reserve consists of those members of the reserve components whose names are placed on reserve retired lists established pursuant to subsection (b) of this section.

"(b) In accordance with regulations prescribed by the appropriate Secretary, reserve retired lists shall be established upon which will be placed the names of those members of the reserve components who make application therefor, if otherwise qualified. Such reserve retired lists shall be in addition to the Army of the United States Retired List, the Air Force of the United States Retired List, and the United States Naval Reserve Retired List authorized pursuant to section 301 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended.

"(c) Members in the Retired Reserve may, if qualified, be ordered to active duty involuntarily, but only in time of war or national emergency declared by the Congress or when otherwise authorized by law.

"SEC. 208. (a) Each person required to serve in a reserve component pursuant to law, shall, upon becoming a member of a reserve com-

The total estimates for the bill were \$13,867,000,000. The amount carried in the bill as passed by the House was \$10,127,000,000. The amount of decrease by the Senate committee is the enormous sum of \$1,893,000,000, a cut of almost \$2,000,000,000 under the House figure. That shows that the committee has carefully considered the items in the bill.

We started with estimates from the Department of \$13,867,000,000—nearly \$14,000,000,000. The House cut the figure down to roughly \$10,000,000,000, and the Senate has cut it nearly \$2,000,000,000 more.

Mr. McCARRAN. Mr. President—
Mr. McKELLAR. I yield to the Senator from Nevada.

CONTINUATION OF CERTAIN EMERGENCY POWERS—CONFERENCE REPORT

Mr. McCARRAN. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 477) to continue in effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.
(For conference report, see pp. 9028-9029 of House proceedings of July 2, 1952.)

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. CASE. Mr. President, reserving the right to object, will the Senator from Nevada explain what the conference report does with respect to the provisions to which objection was raised in connection with the amendments proposed to be offered by the Senator from Mississippi [Mr. EASTLAND] some days ago?

Mr. McCARRAN. The Eastland amendment and the amendment offered by the senior Senator from Nevada were both dropped in conference. The only change from the House language is that, instead of the act terminating on June 30, 1953, it terminates on April 1, 1953.

On April 28, 1952, the treaty of peace between Japan and the United States and the other signatory powers went into effect. On the same date the President issued proclamation No. 2974, which brought to an end the national emergencies previously proclaimed on September 8, 1939, and May 27, 1941. These actions had the effect of either instantly terminating or beginning the termination period of approximately 155 laws, whose effectiveness depended upon the existence of a state of war or the emergencies referred to above, except that Congress had enacted temporary extensions of some of these powers until action could be had on the resolution presently being considered.

In the meantime, on February 19, the President had requested Congress to extend for the duration of the national

emergency proclaimed on December 16, 1950, plus 6 months, 60 of the 155 laws which would ordinarily have expired. The proposals were considered by the Judiciary Committees of the respective Houses, and after extensive hearings covering 614 printed pages at which all interested parties were heard and after careful and intensive study it was decided to extend 40 of the requested 60 powers for a period which would terminate on April 1, 1953. It is believed that this will provide an opportunity to the interested agencies to come before the proper committee which has jurisdiction over the substantive law relating to their agency and request permanent legislation to obtain the objectives sought by this temporary extension.

The powers eliminated by this joint resolution are as follows:

1 (a) (5) Authorization for detailing Armed Forces personnel to the Veterans' Administration.

1 (a) (6) Liability of inductees to serve in Reserve components and be ordered to active duty in time of war.

1 (a) (9) Military status of commissioned corps of the Public Health Service and uniform allowances in time of war.

1 (a) (34) Recall to wartime duty of retired Public Health Service officers.

1 (a) (16) Provision permitting voting by mail of persons serving in the land or naval forces.

1 (a) (23) Payment for use of wharves and landings under control of the Territory of Hawaii.

1 (a) (24) Rights under public lands laws of persons serving in the Armed Forces of allies of the United States.

2 (b) (7) Veterans' preference under the homestead and other land laws.

2 (b) (8) Veterans' preference with respect to lands within the Boulder Canyon project.

2 (c) Homestead preference for veterans.

1 (a) (27) Power of the President to assume control of transportation systems in time of war.

2 (b) (4) Gold Star lapel buttons.

The powers which have been extended have been extended after reaching the studied conclusion that in this critical period they are extremely necessary to the national defense and security of this country, and I wish to emphasize again that in no event are any of the powers to be continued beyond April 1, 1953, unless so recommended by committees of the Congress having jurisdiction over the substantive law involved.

Mr. CASE. Mr. President, I withdraw the reservation of objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SUPPLEMENTAL APPROPRIATIONS, 1953

The Senate resumed the consideration of the bill (H. R. 8370) making supplemental appropriations for the fiscal

year ending June 30, 1953, and for other purposes.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McKELLAR. I appeal to Senators to see if we can not do some work on the bill. It is a very important bill. With respect to that part of it dealing with Europe, I do not favor it, but the committee has agreed upon it. It was reported almost unanimously. I hope we may make some progress with the bill.

Mr. CORDON. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. I yield.

Mr. CORDON. The Senator read the totals on the first page of the report, which indicate that the bill as reported to the Senate by the Senate Appropriations Committee is \$1,893,254,494 below the House bill.

Mr. McKELLAR. That is correct.

Mr. CORDON. However, it is a fact, is it not, that the Senate committee recommended a reduction in one item of defense construction of \$2,046,499,840 below the House, solely because there was no statutory authority for the appropriation? If that is excepted, then the action recommended by the Senate committee would be \$153,245,346 above the House figure. Is not that correct?

Mr. McKELLAR. The Senator is correct; but he says "if." The authorizing legislation has not yet been passed.

Mr. CORDON. The Senator agrees, does he not, that if the legislation does pass, before final consummation of this appropriation there will be included defense construction money?

Mr. McKELLAR. Yes; that is true. By the same token, if we were to quit giving our money away in Europe, Asia, Africa, Australia, South America, Malaya, Burma, India, Hindustan, and other parts of the world, we would have a smaller bill by \$6,000,000,000, because \$6,100,000,000 goes for those purposes.

Mr. CORDON. I agree with the Senator entirely. Will the Senator yield for a further inquiry before he takes his seat? It relates to his over-all statement.

Mr. McKELLAR. I am glad to yield. I should like to proceed with the consideration of the amendments, and see if we cannot dispose of them. I yield.

Mr. CORDON. I prefer to tie these figures in with the Senator's statement. Otherwise I could reiterate the whole thing, which would be useless.

Mr. McKELLAR. Let the Senator go ahead.

Mr. CORDON. I appreciate that.

There is also included in the recommendation of the Senate committee to the Senate a contract authority for the Atomic Energy Commission, in round numbers, of \$2,100,000,000 more than the House bill. Is not that correct?

Mr. McKELLAR. That is correct.

Mr. CORDON. The figures shown on the first page of the report, as is usual, indicate the dollar situation as it exists,

without an explanation as to additional contract authority or as to the figures for construction, which went out on a technical basis.

Mr. McKELLAR. I am simply talking about this bill.

Mr. CORDON. So am I.

Mr. McKELLAR. This bill reduces the amount proposed to be appropriated by the House by \$1,893,254,494. In other words, we are not spending the money in this bill, whatever we may spend in bills to come.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LANGER. As the distinguished Senator knows, I have been opposed to the give-away policy—loans, and all that sort of thing—ever since I have been in the Senate. In connection with the \$6,100,000,000 about which the distinguished Senator is speaking, my views were pretty well expressed by Associate Justice William O. Douglas in an address delivered before the National Conference on International Economic and Social Developments, on April 7, last.

Instead of my taking the time to go into the subject as fully and as completely as I should like to do, which would probably take an hour, I ask unanimous consent that I may have printed in the body of the RECORD at this point, as a part of my remarks, the address of Associate Justice Douglas.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. Chairman, ladies and gentlemen, I am honored to be included in this conference. As I have seen the type of organizations that are affiliated in this session my hopes have risen. This is a diverse group, a group of different points of view, groups that have sterling character and idealism, and that represent the various segments of American life. I think groups of this character can forge a program for us in the very difficult days ahead. It is out of the community of action where there is a freedom of thought and freedom of discussion and a wide range of inquiry into all phases of a problem that we can hope to get the kind of unanimity that will carry us through the dark days that face us. I haven't had an opportunity to participate in very many of the sessions to hear what is going on. I had some spies sitting in the audiences reporting to me, and what they brought back was very encouraging. I was disappointed, however, that most of your discussions to date have been factual and statistical, and that you had left, apparently, at least, the controversial subjects to me.

I was sorry, for example, to hear that there were too many people in certain professions. Immediately I thought of the lawyers. Is there anyone here who doesn't think that there are too many lawyers—except the lawyers? Are there any lawyers here, by the way? Would any lawyer dare raise his hand? Well, I counted a few; and if any of you lawyers should feel depressed, let me tell you this: One of the byproducts of my wanderings around the earth has been a message of hope to the lawyers. I was in Israel visiting a cooperative farm and we were drinking Coca-Cola, I think it was, and we got into a very depressing subject—of lawyers—and finally one of the farmers changed the subject and he said, "You know that the poorest farmers in Israel are the people who before they were farmers in Israel were farmers in Europe, and the next best

farmers in Israel were the people who, before they were farmers in Israel, were dentists and doctors in Europe." Then he said, "But the very best farmers in Israel were those who once were lawyers." So to my own little union I say, "Cheer up, for there may be a very bright future ahead of us."

I have no prepared manuscript. I have no speech. I come to you with no qualifications, except I have had the privilege of visiting in the Middle East and Asia for three summers. I have seen most of the country from the Mediterranean to the Pacific, and I have come back filled with prejudices. I have traveled it with my eyes and my ears looking and listening for things that I thought were important to Americans. But each time I came back with my heart very heavy and my mind filled with fear for the future of America, because I realized that America did not understand the world in which it was living.

I do not pretend to be an expert. All I can hope to provide is a point of view, but I do think that we need a different point of view, and a new point of view, else this great civilization that we call the civilization of the west may disappear. If it does, it will carry with it not only the things that we hold dear but the hopes and the aspirations of little people all around the world—the little people of the rice fields of southeast Asia, the aspirations of the goatherders of Persia. That is because we are more important, we Americans, we of the west, are more important than we have pretended to be. We have, in large part, been assuming, in my opinion, a false role that is not true to our character, not true to our ideals, not true to our civilization. If I can ask your indulgence, I will explain what I mean.

We in America have been engrossed in the luxuries of our own civilization—our golf clubs, our hot dogs, our soft drinks—the rich, material civilization that our productive capacity has given us. We have imagined that other people should be like us. We are industrialized and have these things; therefore, other people should be industrialized, and they can have these same things. But as one of your reporters indicated tonight, this industrialization business is a very difficult, a very involved problem. This summer I was where few Americans have been. I was on the Sinkiang border—up in the Karakoram in an area called Gilgit, Hunza, and Nagir. The habitable portion of the region is about a half mile wide and a hundred to two hundred miles long. The valleys are around 5,000 feet and the canyon walls go up as high as 28,000 feet. It is a bleak, desolate, terrifying country. Those people, in February and March, have nothing left to eat. It is one of those food-deficit areas. They have enough for 10 months, and the problem in March and April is to find enough outcroppings of new weeds or flowers that will carry them through. That is what those good people of the Gilgit area are doing now. They are tightening their belts.

They can't grow anything more than they are growing no matter how much point 4 technical assistance you bring them. But there is something that can be done from the industrial point of view that can help them. There is an American by the name of John Clark from St. Charles, Ill., a geologist, a graduate of Princeton, about 40 years old, who is now in a hospital with amoebic dysentery that he got in this area. John Clark went in there 2 years ago. He had a "vest pocket" point 4, developed by John Clark. He taught these people simple industrial skills: how to make a pipe, how to turn a lathe. By the way, up to last summer, no wheel had ever been seen in parts of this area. John Clark brought them a few of the rudiments of industrial civilization.

The reason he did it was that they needed exports—something they could trade: a pipe, a piece of cloth—and send over the high passes of the Karakoram and the Himalayas, down to the Punjab in exchange for food. When John Clark, a self-financed American, left that region in November 1951 he couldn't get on his horse until he had walked 6 miles. The reason he couldn't get on his horse until he had walked 6 miles was because the people were lined up to shake hands with him, and kiss him, and thank him for coming in. There is no other experience of mine abroad that has been as moving, from the American point of view, except one. And that was when a Negro lawyer from Chicago, Edith Sampson—God bless her—stood up in New Delhi, India, and defended America on the race issue before a hostile audience.

Industrialization is a big problem. In the Gilgit area it means doing the kind of a thing that John Clark did, teaching the people simple things, teaching them how to utilize a few of their resources, not opening up great power projects, not opening up great mines that some absentee group of stockholders will exploit, but teaching them simple skills. I suppose that those of you who have seen Bombay, Calcutta, Delhi, and the other big population centers of India and Asia, will appreciate as I appreciate the great dangers of quick industrialization. If private capital were turned loose and if the physical potentialities of that part of the world were exploited in the full sense, there would easily develop in a few years the greatest sweatshops in the world. Those who criticize Nehru for being a Socialist don't understand the background of India and the environment out of which he came. That's what Nehru is against—exploitation. That's why Nehru stands for his brand of socialism. That's why Nehru stands for his type of controlled and managed capitalism. Nehru does not want sweatshops in India. You can appreciate how great a sweatshop it would be when you realize that a skilled laborer in India gets \$1 a day in American money, and the unskilled labor gets around 25 cents a day. Industrialization, as we know it, presupposes a lot of other things. It presupposes labor unions. It presupposes the organization of labor so that labor will get its fair share of the production, so that it will not become the victim, so that it will become the slave.

Industrialization even on the farms presupposes a lot in the Middle East and Asia. In 1950 I was near Kermanshah in Iran. That's up in the northwest—a big, broad valley that looks very much like the valley that stretches south from San Francisco to Los Angeles, a beautiful valley, rich in bottom land. There is a wonderful man up there. He's a big landlord, but not the vicious type of absentee landlord that has placed a curse upon the Middle East and Asia. His name is Tavakoli. If he were here tonight, I would introduce him with great pride to this American audience. Tavakoli is a man who has seen the same vision that many of our industrialists have seen in America—the vision of a broad base of participation of the wealth of the country—opportunities for everyone—dignity and justice and freedom for all classes. Tavakoli has some model villages near Kermanshah. When I asked him about his American farm machinery that he had imported, there was sadness in his eyes because he had \$500,000 worth of it and it was all broken down; and there was not a mechanic in Persia that could fix it. There were no mechanics and there were no spare parts. We often imagine that conditions in one country are similar to conditions in another. But even in Persia, the country that is a first or second cousin to us, there are no mechanics who can fix this farm machinery. There are no

Public Law 450 - 82d Congress
Chapter 570 - 2d Session
H. J. Res. 477

JOINT RESOLUTION

To continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond April 1, 1953.

Whereas certain statutory provisions dependent upon the existence of a state of war and upon the national emergencies proclaimed in 1939 and 1941 were continued in effect until June 1, 1952, by Public Law 313, approved April 14, 1952, and were subsequently further continued in effect until June 15, 1952, by Public Law 368, approved May 28, 1952, in order to permit further consideration of a more extended continuation; and

Whereas the last of the states of war of World War II and the national emergencies proclaimed by the President in 1939 and 1941 were terminated on April 28, 1952; and

Whereas a more extended continuation of the statutory provisions herein dealt with is needed to insure the national security and the capacity of the United States to support the efforts to establish and maintain world peace: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the termination on April 28, 1952, of the existence of a state of war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

(a) The following statutory provisions, and the authorizations conferred and liabilities imposed thereby, in addition to coming into full force and effect in time of war or otherwise where their terms so provide, shall remain in full force and effect until six months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or until such earlier date or dates as may be provided by the Congress by concurrent resolution either generally or for a particular statutory provision or by the President either generally by proclamation or for a particular statutory provision, but in no event beyond April 1, 1953, notwithstanding any other terminal date or provision of law with respect to such statutory provisions and notwithstanding any limitation, by reference to war or national emergency, of the time during or for which authorizations or liabilities thereunder may be exercised or imposed; and acts or events of the kind giving rise to legal consequences under any of those provisions when performed or occurring during the state of war which terminated on April 28, 1952, shall give rise to the same legal consequences when they are performed or occur during the period above provided for:

(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201); and, effective for the period of time provided for in the opening paragraph of this subsection, section 1 of said Act of December 17, 1942, is amended by inserting "or the maintenance of the national defense" after "the prosecution of war".

(2) Act of March 27, 1942 (ch. 199, secs. 1301-1304, 56 Stat. 185-186; 50 U. S. C. App. 643, 643a, 643b, 643c).

(3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

(4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 1171, (a), 1171 (b)); and the

Emergency
Powers
Continuation
Act.

50 U.S.C. app.
note prec. § 1

Continuance
of certain
statutory
provisions.

64 Stat. A454.
50 U.S.C. app.
note prec. § 1

66 Stat. 330.
66 Stat. 331.

authority thereby granted to the Secretary of the Army is hereby conferred on the Secretary of the Navy, to be exercised by him on behalf of the Department of the Navy, using naval appropriations for the purpose.

(5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 U. S. C. App. 761, 767, 771).

(6) Act of January 2, 1942 (ch. 645, sec. 7), as added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

(7) Act of March 7, 1942 (ch. 166, secs. 1-12, 14, and 15, 56 Stat. 143-147), as amended (50 U. S. C. App. 1001-1012, 1014, and 1015), and as extended by section 4 (e) of the Act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the period of time provided for in the opening paragraph of this subsection, sections 2, 6, 9, 12, and 14 of said Act of March 7, 1942, as they read immediately before the enactment of Public Law 313, Eighty-second Congress, are amended as follows, and, as so amended, are further extended in accordance with section 4 (e) of said Act of June 24, 1948:

(A) Section 2 (50 U. S. C. App. 1002) is amended by deleting "interned in a neutral country, captured by an enemy" and inserting in lieu thereof "interned in a foreign country, captured by a hostile force".

(B) Section 6 (50 U. S. C. App. 1006) is amended by deleting "in the hands of an enemy or is interned in a neutral country" and inserting in lieu thereof "in the hands of a hostile force or is interned in a foreign country".

(C) Section 9 (50 U. S. C. App. 1009) is amended by deleting "in the hands of an enemy" and inserting in lieu thereof "in the hands of a hostile force" and by deleting "such enemy" and inserting in lieu thereof "such hostile force".

(D) Section 12 (50 U. S. C. App. 1012) is amended by deleting "interned in a neutral country, or captured by the enemy" and inserting in lieu thereof "interned in a foreign country, or captured by a hostile force".

(E) Section 14 (50 U. S. C. App. 1014) is amended to read as follows:

SEC. 14. The provisions of this Act applicable to persons captured by a hostile force shall also apply to any person beleaguered or besieged by a hostile force."

(8) Act of December 4, 1942 (ch. 674, secs. 2, 3, and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

(9) Act of October 26, 1942 (ch. 624, 56 Stat. 987; 50 U. S. C. App. 836).

(10) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

(11) Act of June 25, 1942 (ch. 447, 56 Stat. 390-391; 50 U. S. C. App. 781-785).

(12) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, 66 Stat. 332, 55 Stat. 362; secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 56 Stat. 212; 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said Act of October 14, 1940, continue to exist during the period of time provided for in the opening paragraph of this subsection.

(13) Act of December 2, 1942 (ch. 668, titles I and II, 56 Stat. 1028), as amended (42 U. S. C. 1701-1706, 1711-1717). Effective for the period of time provided for in the opening paragraph of this subsection, the following terms, as used in titles I and II of said Act of December 2, 1942, and the terms "allies" and "war effort", as used in

Ante, p. 54.

Missing Persons Act,
amendments.

66 Stat. 331.
66 Stat. 332.
55 Stat. 362;
56 Stat. 212;
59 Stat. 260.
54 Stat. 2643.
50 U.S.C. app.
note prec. § 1.

the statutory provisions referred to in section 101 (a) (1) of said Act (42 U. S. C. 1701 (a) (1)), have the following meanings: The term "enemy" means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies. The term "allies" means any nation, government, or force participating with the United States in any armed conflict. The terms "national war effort" and "war effort" include national defense. The term "war activities" includes activities directly related to military operations.

(14) The paragraph designated "(2)" which was inserted into the Act of March 3, 1909 (ch. 255, 35 Stat. 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60; 34 U. S. C. 533).

(15) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the Act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

(16) Act of December 23, 1944 (ch. 716, 58 Stat. 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

(17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 59 Stat. 505; 5 U. S. C. 801); and, effective for the period of time provided for in the opening paragraph of this subsection the term "enemy" as used in section 5 (b) of said Act of July 28, 1945, means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any nation, government, or force participating with the United States in any armed conflict.

(18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

(19) Act of October 17, 1942 (ch. 615, secs. 1-4, 56 Stat. 796; 36 U. S. C. 179-182).

(20) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

(21) Act of October 14, 1940 (ch. 862, title V, sec. 503), as added by the Act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

(22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

(23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

(24) The eighth paragraph (designated "Military traffic in time of war") of section 6 of the Act of February 4, 1887, chapter 104, as that section was amended by section 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

(25) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by Act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

(26) Act of February 4, 1887 (ch. 104, sec. 420), as added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020).

(27) Act of June 6, 1941 (ch. 174, 55 Stat. 242-245), as amended (50 U. S. C. App. 1271-1275).

(28) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

(29) Title 18, United States Code, sections 794, 2153, 2154, and 2388. Effective in each case for the period of time provided for in the opening paragraph of this subsection, title 18, United States Code, section 2151, is amended by inserting "or defense activities" immediately before the period at the end of the definition of "war material" and said sections 2153 and 2154 are amended by inserting the words "or defense activities" immediately after the words "carrying on the war" wherever they appear therein.

66 Stat. 332.

66 Stat. 333.

62 Stat. 737,
799, 811.

(30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the Act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223-226b).

(31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90-96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms "prosecution of the war" and "conditions of wartime production", as used in said Act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.

(32) Title 28, United States Code, section 2680 (j).

62 Stat. 984.
Certain in-
operative
provisions.

(b) The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative; in accordance with their terms, in time of war) shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond April 1, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

64 Stat. A454.
50 U.S.C. app.
note prec. §1.

(1) Those portions of section 37 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, as amended (10 U. S. C. 353)), which restrict the appointment of Reserve officers in time of peace.

(2) The second sentence of section 40b of the Act of June 3, 1916, as added by section 33 of the Act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 850i).

(4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

(5) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

(6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

(7) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)-(d)).

(c) The President is authorized to continue in effect until and including April 1, 1953, all appointments as officers and as warrant officers of the Army and of the Air Force which under the following provisions of law would terminate after April 27, 1952, and before April 1, 1953:

(1) Sections 37 and 38 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C. 358, 32 U. S. C. 19), and section 127a of that Act as added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785), as amended (10 U. S. C. 513).

(2) Section 515 (e) of the Act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

(3) Section 3 of the Act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a).

66 Stat. 333.
66 Stat. 334.

SEC. 2. (a) Section 5 (m) of the Act of May 18, 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is amended by inserting before the period at the end thereof "or, until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide but in no event after April 1, 1953, to nations associated with the United States in defense activities".

(b) The second proviso of section 1 of the Act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), is amended to read:

"*Provided*, That if such accident or incident occurs in time of war, or if war intervenes within two years after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established, but if such accident or incident occurs after December 6, 1939, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within one year after the termination of that national emergency or April 1, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 2 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 222e).

Presentation of certain claims.

64 Stat. A454.
50 U.S.C. app. note prec. § 1.

(c) The second proviso of section 1 of the Act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), is amended to read: "*Provided*, That if such accident or incident occurs in time of war, or if war intervenes within one year after its occurrence, any claim may, on good cause shown, be presented within one year after peace is established, but if such accident or incident occurs after June 23, 1950, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within one year after the termination of that national emergency or April 1, 1953, whichever is earlier."; and such section as so amended shall apply to the Navy in accordance with section 1 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d).

SEC. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this joint resolution is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

Secretary of Air Force.

SEC. 4. Nothing in this joint resolution shall be construed to repeal or modify section 601 of Public Law 155, Eighty-second Congress, first session, relative to coming into agreement with the Committee on Armed Services of the Senate and of the House of Representatives with respect to real-estate actions by or for the use of the military departments or the Federal Civil Defense Administration.

Real-estate actions.
65 Stat. 365.
40 U.S.C. § 551.

SEC. 5. If any provision of this joint resolution, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this joint resolution, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Separability.

SEC. 6. Public Laws 313 and 368, Eighty-second Congress, are repealed without effect upon rights accrued, liabilities incurred, or actions taken thereunder.

Ante, pp. 54, 96.

SEC. 7. Sections 1 through 6 of this joint resolution shall take effect June 16, 1952.

SEC. 8. This joint resolution may be cited as the "Emergency Powers Continuation Act".

Short title.

Approved July 3, 1952.

